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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

★ Washington, D. C. ★
JUL 23 1938

U. S. Department of Agriculture

July 23, 1938

Memorandum to Field Officers and Field Assistants with respect to
the Administration of the Tobacco Marketing Quota Provisions of the
Agricultural Adjustment Act of 1938.
(Flue-cured Tobacco)

Prior to the opening of the flue-cured tobacco auction markets the Field Officer in charge of a market belt will meet with the Field Assistants for that belt for the purpose of outlining the work and giving instructions with respect to the checking of tobacco sales with marketing quotas and work related thereto. At that time each Field Assistant will be assigned to a particular market and will have delivered to him the necessary forms and supplies.

On each market where two or more Field Assistants are assigned, one will be designated as in charge of that market. The person so designated will be expected to do the same type of work as the other men except that he may have some additional duties in which he will be instructed by the Field Officer.

Field Assistants will perform important functions having to do with the determination and collection of penalties on tobacco sales. Therefore, it is very necessary that their work be done honestly, accurately and rapidly enough that the settlements of warehousemen with growers will not be delayed. If any Field Assistant is inaccurate, careless, or fails to follow instructions, or if his conduct is such as to make him unsuitable for the job, we will have no alternative but to promptly replace him.

The "Regulations pertaining to flue-cured tobacco marketing quotas --" should be carefully studied by all Field Officers and Field Assistants and used as the guide for this work. This memorandum has been prepared to cover more details, but whenever in doubt about any point concerning the program refer to the Regulations and follow them literally.

PART I -- FORMS

Following is a list of the forms to be used in connection with this work and a brief statement as to the distribution of each after it has been prepared:

A. Forms Prepared in the County Office

Form 38-Tobacco 12, "Notice of Farm Marketing Quota for Flue-cured Tobacco."

County Offices only.

Form 38-Tobacco 13, "Operators Receipt for Marketing Card."

County Offices only.

Form 38-Tobacco 14, "1938-1939 Marketing Card". (Flue-cured Tobacco)

County offices will issue all marketing cards and will fill out the front page thereof and will enter on the inside, at the top of column 1, the number of pounds of quota which should be the same as the quota written in words on the front of the card. (Entries to be made on the card by Field Assistants are explained in Part II hereof.)

B. Forms Prepared by Field Assistants

Form 38-Tobacco 15, "Record of Quota Transfer."

To be prepared and distributed as indicated by the footnote on the form.

Form 38-Tobacco 16, "Receipt for Memoranda of Sale Forms."

To be prepared and distributed as indicated by footnote on the form.

Form 38-Tobacco 17, "Memorandum of Warehouse Sale."

To be prepared in triplicate as bound in the book. The white copies (17) to be detached and delivered to the warehousemen. The thin sheets (17a) to remain in the book. The green copies (17b) to be detached and mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., supporting the "Daily Report of Producers' Sales", (19).

Form 38-Tobacco 18, "Memorandum of Non-warehouse Sale."

Same as for Form 38-Tobacco 17, except that buyer and producer sign the certificate if the sale is subject to penalty.

Form 38-Tobacco 19, "Daily Report of Producers' Sales."

This report will show the totals of figures on memoranda of auction sale (17) for each warehouse each sale day. It will also be used by Field Assistants to report the memoranda of sale other than auction (18) that were issued to dealers.

When this report is a summary of warehouse sales, the white copy (19) will be given to the warehouseman. When it is a report on non-warehouse sales, the white copy is not used. In all cases the duplicate (19a) will be signed by each Field Assistant participating in the report and mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., along with forms 17b or 18b covered by this report. The triplicate (19b) will be retained by Field Assistant in charge of market.

C. Forms Prepared by Producers

Form 38-Tobacco 23, "Authorization for Transfer."

A supply of this form should be in the hands of Field Assistants to give to warehousemen and producers in cases where producers wish to transfer part or all of their quota. If the transfer is made directly from one producer to another the original will be delivered to the Field Assistant. In case a transfer is to be made through a warehouseman, as agent for the producer, the original will be delivered to the warehouseman. In either case the duplicate should be retained by the producer authorizing the transfer.

Form 38-Tobacco 25, "Certificate of Exemption."

A supply of this form should be kept by Field Assistants for delivery to persons who have a legal right to claim exemption from penalty as provided in the Regulations. Any person executing this form and desiring to retain a copy of the form may execute it in duplicate. The original, when properly executed, shall be delivered to the Field Assistant at the warehouse where the tobacco described has been sold and should be attached by him to the duplicate copy of the Memorandum of Sale for this particular tobacco.

Form 38-Tobacco 27, "Request for Sale Subject to Penalty."

A supply of this form should be kept by Field Assistants for delivery to producers who request that a sale of tobacco be subject to penalty before they have used all their quota. When executed, the form shall be delivered to the Field Assistant on the market where said tobacco is sold and should be attached to the duplicate Memorandum of Sale for such tobacco.

D. Forms to be Prepared by Warehousemen or Dealers

Form 38-Tobacco 20, "Daily Report of Suspensions."

This form to be furnished warehousemen by the Field Assistants. Each warehouseman to make this report daily in duplicate, the reports to be checked by Field Assistants and signed by them after having been signed by warehousemen. The original to be mailed by warehouseman to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., and the duplicate retained by warehouseman.

Form 38-Tobacco 21, "Daily Auction Warehouse Report."

This form to be furnished warehousemen by Field Assistants and to be prepared daily in duplicate by warehousemen. The original to be mailed by warehousemen to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., and the duplicate retained.

Form 38-Tobacco 22, "Dealers Report of Purchases and Resales."

This form should be distributed to dealers by the Field Officers and Field Assistants. This form is to be made out in duplicate by dealers for each day's transactions, the original to be mailed by the dealer to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., with penalty remittance, and the duplicate retained.

Form 38-Tobacco 24, "Warehouseman's Record of Transfers."

Field Assistants shall furnish warehousemen with a supply of this form as needed. Each Field Assistant shall keep a record of the serial number of each book of this form supplied each warehouseman.

Form 38-Tobacco 26, "Warehouseman's Transfer Agency Agreement."

Two copies of this form will be mailed to each warehouseman before the opening of the markets. Any warehouseman who wishes to act as agent for producers in arranging transfer of quotas may execute both copies of this agreement and mail them to the Tobacco Section, Agricultural Adjustment Administration, Washington, D. C. When approved, one copy of the agreement will be signed by the Chief of the Tobacco Section and returned to the warehouseman.

Form 38-Tobacco 28, "Regulations."

Copies of the Regulations will be mailed to warehousemen prior to the opening of the markets. They should also be available in the County Agents' offices and a number of copies should be kept on hand by Field Assistants.

PART II -- PROCEDURE

While, as previously stated, the Regulations are the guide to this work, the following outline of procedure to be followed by Field Assistants is designed to cover more details with respect to the procedure and the use of the forms heretofore listed.

A. Serially Numbered Forms to be Accounted For

The Memorandum of Sale forms (17 and 18) are serially numbered and each memorandum must be accounted for, either (1) as issued, (2) as voided, or (3) as transferred. Therefore, when books of these forms are issued to Field Assistants they will sign a receipt in triplicate, Form 38-Tobacco 16, copies of which will be distributed as indicated by the footnote on the form. In case a Field Assistant has been issued

a book of these forms and does not use the entire book and transfers the unused portion of it to another Field Assistant, the same receipt should be prepared.

Field Assistants will keep a record of the serial numbers of Form 38-Tobacco 24 issued to warehousemen.

B. Marketing Card

When a producer calls at the warehouse office for his check, he should present his marketing card and his sales bill to the Field Assistant who will issue a Memorandum of Sale before the warehousemen settles with the producer. If the name on the sales bill is not the same as that on the marketing, a Memorandum of Sale will not be issued.
card

If the total pounds sold are within the unused quota as shown on the marketing card, the entry of the amount of pounds covered by the sales bill will be made on the marketing card in column 1 after the words "pounds sold". The amount of the pounds sold will then be deducted from the amount of "unused quota" and entered as the remaining "unused quota". In a case where a producer has some unused quota, but not enough to cover a particular sale, and where the warehouseman refuses to make out two sales bills, one of quota and one for excess, the Field Assistant may issue one Memorandum of Sale to cover both quota and excess. In such case, the entry on the marketing card will be for an amount of pounds equal to the unused quota, which amount will be entered on the Memorandum of Sale as "Sale within quota" and the remaining pounds, etc. entered as "Sale subject to penalty". In such cases the penalty is calculated on the lowest price baskets (or part baskets) the pounds of which equal the excess.

The serial number of the Memorandum of Sale to be written for each sale within quota, and the date of sale will be entered on the marketing card in column 2 opposite the other entry to which applicable. Extreme care must be exercised in making entries on the card both as to the figures entered and as to the deductions made. Do not erase an incorrect entry that may have been made but line out and initial such error and make correct entry in the next proper space below.

See Regulations, sections 406 to 410, with respect to invalid cards, lost cards, cards with insufficient space, etc.

C. Memoranda of Warehouse Sales

Field Assistants will enter on this form the date of sale, the name of farm operator and code and serial number as shown on the marketing card, and warehouse and town where sale was made. There will likely be a few instances in which producers selling tobacco subject to penalty will refuse to present their marketing card. In such instances, Field Assistants will write on the Memorandum of Sale on the line provided for "code and farm serial number" the name of the county and State in which the tobacco was grown.

The pounds and dollars for "sales within quota" will be entered in the block so designated, the pounds being the same as entered on the marketing card. In cases of sales exempt from penalty which are not entered on the marketing card, the pounds and dollars will be entered as "sales within quota", and in the next block will be written the word "Exempt." Excess sales, that is "sales subject to penalty" will be entered in the block so designated, in which will also be entered the amount of penalty, which shall be the greater of 3 cents per pound or 50 percent of the gross sale price of the tobacco sold subject to penalty.

Since all of these records of sales and penalties must be kept separately by warehouses, Field Assistants should arrange to use the same memorandum of sale book for one warehouse until that book is completed.

After each Memorandum of Sale is written, the white copy (17) will be detached from the book and passed on to the check writer at the warehouse with the producer's sales bill and marketing card. The green copies (17b) will be detached at the end of each day and mailed to the Comptroller, Agricultural Adjustment Administration, with daily reports as described hereinafter. Space is provided on the thin sheets (17a) for carrying forward the total pounds and dollars from each page to the next page. Such totals should be carried forward currently, and Field Assistants must be sure that such totals for a warehouse for each day are correct.

D. Request For Sale Subject to Penalty

Provision is made whereby a producer may pay the penalty on a sale of tobacco although such sale is not in excess of his unused quota on the date of sale. In such case the producer may sign the request, Form 38-Tobacco 27, covering the sale in question. If such is done, no entry covering such sale shall be made on the marketing card. The memorandum of sale in such case shall be issued as covering a sale subject to penalty, and the penalty computed in the usual manner. If the producer decides to execute this request for sale subject to penalty covering only a part of a sale for which a single sales bill was prepared by the warehouseman, only that part of the sale on which the penalty is not to be paid shall be entered on the marketing card. A double entry will then be made on the memorandum of sale, entering that part which is "sale within quota" and that part which is "sale subject to penalty" in the proper spaces. The original of the request (Form 38-Tobacco 27) will be attached by Field Assistants to the copy (17b or 18b) of the memorandum of sale.

E. Sales Exempt from Penalty

See Section 303 of the Regulations with respect to sales exempt from penalty. The certificate, Form 38-Tobacco 25, to be used in such cases must be signed by the producer and also by a representative of the Experiment Station or the Tobacco By-product Manufacturer,

as the case may be. Field Assistants will be supplied with this form for delivery to the interested parties in cases where exemption is claimed.

When executed by the proper parties, the form will be delivered to a Field Assistant at the warehouse where the tobacco is sold (or in case of non-warehouse sale to a Field Assistant at the nearest market), and he will enter on it the serial number on the memorandum of sale for said sale and also the code and serial number of the farm. This certificate will be attached by Field Assistant to the green copy of the "Memorandum of Sale (17b or 18b) issued for such sale.

F. Non Auction Sales.

Producers' sales other than on auction warehouse floors will be handled in a manner similar to that for auction sales, except that the "Memoranda of Non Warehouse Sale", Form 38-Tobacco 18, will be issued. This form is similar to "Memorandum of Warehouse Sale" (17), except that it provides for a certification to be executed by the buyer and producer in cases where such sale is subject to penalty. This certificate is not required if the sale is within quota. However, the dealer's registration number must be entered in all cases.

The marketing card and sales bill must be presented to the Field Assistant in cases of sales other than at auction warehouses and entries on the marketing card as to pounds sold and as to serial number of the memoranda of sale issued for recording such sales (18) will be the same as in cases of auction sales.

The original of the memorandum of sale (18) will be delivered to the buyer, the thin sheet (18a) will remain in the book, and the green sheet (18b) will be mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C. along with daily report.

In case of such private sale that is subject to penalty, Field Assistant should refuse to write a Memorandum of Sale therefor if he has reasonable grounds to believe that the producer and buyer are falsely certifying to the sale price in order to reduce the amount of penalty.

G. Daily Report of Producers Sales

At the end of each sale day, Field Assistants shall prepare the "Daily Report of Producers' Sales" (19) for each warehouse at which they worked during that day and for each dealer purchasing tobacco other than at auction and for which they issued "Memoranda of Non Warehouse Sale" (18). These reports are to be by warehouses and dealers for each sale day.

With respect to warehouse sales, one daily report (19) shall be prepared for each warehouse sale, and if two or more Field Assistants worked at a warehouse during a day they shall enter their part

of the report for that warehouse separately. For example, if two men work at one warehouse during one sale day, the daily report for that warehouse should have two lines entered on it showing the first and last serial numbers of the memoranda of sale issued by each Field Assistant and the total pounds and dollars, as provided for in the form. The pounds and dollars entered on this form by each Field Assistant will be the grand total of such figures for all of the memoranda of sale issued at said warehouse on said day. If a Field Assistant issues memoranda of sale at more than one warehouse during a sale day, he should enter the data specified above on the report for each of those warehouses for that day.

Field Assistants need not attempt to combine their daily reports for sales other than auction warehouse, but each Field Assistant, who issues Memorandum of Non warehouse Sale (18) should make a separate report with respect to each dealer for each day during which he issued this form.

The original of this Daily Report of Producers' Sales (19) with respect to a warehouse shall be given to the warehouseman and the duplicate and triplicate (19a and 19b) shall be signed by each Field Assistant on the line showing entry with respect to memoranda of sale issued by him. Field Assistants may hold the duplicate (19a) for a few days (but not longer than the end of the week during which prepared) to give the warehousemen a chance to check the report with their records. The duplicate (19a) will then be mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C. along with copies of the Memoranda of Sale (17) or Memoranda of Non-warehouse Sale (18) that each report summarizes. The triplicate (19b) will be retained by the Field Assistant in charge of the market.

In case errors are made in any daily report and discovered before the report is mailed, the correction will be made on each copy and called to the attention of the warehouseman. If error is discovered after the report is mailed, a letter correcting the error should immediately be addressed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C.

When these Daily Reports are received at the office of the Comptroller, Agricultural Adjustment Administration, they will be checked against the copies of the Memorandum of Sale accompanying them. If errors are noted, Field Assistants will be advised of them. These copies of Memorandum of Sale will be mailed by the office of the Comptroller, Agricultural Adjustment Administration, to the proper counties as shown by the code numbers entered on the forms. In order that these records may not be sent to the wrong counties, it is important that the code and serial numbers be entered correctly on all Memoranda of Sale.

H. Transfer of Quotas

With respect to transfer of quotas, study carefully Article V. of the Regulations, Sections 501 to 516.

A producer desiring to transfer all or part of his marketing quota to another producer or to a warehouseman, as agent for arranging the transfer for him, will sign Form 38-Tobacco 23, Authorization of Transfer. If such transfer is to be made directly from one producer to another, the original of this executed form will be delivered to the Field Assistant who will retain it. Also the marketing cards for each of the producers, the one from whom the transfer is to be made and the one to whom the transfer is to be made will be presented to the Field Assistant. The Field Assistant will then enter on the card from which the transfer is to be made, the number of pounds transferred in column 1 the same as if said tobacco was sold, except the Field Assistant will line out the "pounds sold" and write in the word "transfer". In column 2 of the card opposite the entry for the transferred pounds, enter the code and serial number shown on the card to which transfer is made. The Field Assistant will put his initials along side this code and serial number. The pounds transferred will be deducted from the unused quota and the balance entered in the line below in the same manner as if the pounds transferred had been sold.

On the card to which the transfer is made, the pounds transferred will be entered in column 1 on a line for "pounds sold" and the words "pounds sold" will be lined out and the word "transferred" written in. In this case the pounds transferred will be added to the unused quota and the total entered in the next line for unused quota. In column 2 opposite the entry of the pounds transferred to the card, the Field Assistant will write his initials. On the back of the card to which a transfer is made, the Field Assistant will enter the date and pounds of the transfer and affix his signature. If more than one transfer is made to a card, the same entries for each transfer will be entered on the back thereof, there being space for entering four transfers. Transfers between producers can also be made and entered on the cards, in the manner described above, by county offices.

In case where a transfer is to be made through a warehouseman as agent, the executed Authorization for Transfer (23) will be given to the warehouseman by the producer. The warehouseman will use the book Form 38-Tobacco 24, "Warehouseman's Record of Transfer" for recording all transfers in accordance with the Regulations, Article V.

Prior to transfer to other marketing cards of the pounds listed on a warehouseman's record book, the same shall be presented to a Field Assistant along with the marketing cards so listed. The Field Assistant will then enter on the marketing cards from which transfers are made the pounds transferred, in the same manner described above.

As a warehouseman desires to transfer all or part of the quota so transferred to him as agent (see Regulations, Section 513, as to order of transfer), he will present to the Field Assistant his trans-

fer book and the card or cards to which transfers are to be made. The Field Assistant will then enter on each card the amount to be transferred to it, provided there is sufficient balance of transfers to the book to cover such transfer from it, and provided that a complete entry has been made in the book of each transfer to be made from it. The Field Assistant will then enter on each card to which the transfer is made, the pounds so transferred and other entries as previously described in case of direct transfer between two producers.

As transfers are entered on marketing cards by Field Assistants, they will prepare in each instance "Record of Transfer", Form 38-Tobacco 15, in duplicate and mail both copies to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., for distribution to the counties involved.

I. Warehouse Daily Report of Suspensions

Each warehouseman is required by the Regulations (Section 603) to make a Daily Report of Suspensions, Form 38-Tobacco 20. The sales suspended, that is sales made by the warehouseman on a given date for which settlement was not made with the producer, shall be listed individually by producers showing pounds and gross price in each instance. This form also provides for entries, by names of producers, of sales previously suspended on which Memoranda of Sale were issued during the day for which the report is made.

This completed form is to be delivered to the Field Assistant at the warehouse for which the report is made, and when verified by him to the best of his knowledge and belief, will be signed by him and mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C.

J. Daily Auction Warehouse Report

This report, Form 38-Tobacco 21, will be made by each warehouse for each day's business in accordance with the Regulations (Section 603). The form itself shows what entries will be made, except that in "dealer's resale" should be included an entry for resales by the warehouseman for his leaf account. Also, on the back of the form where buyers' purchases are listed, purchases by warehouse for its leaf account should be included. This report is sent directly by warehousemen to the Comptroller, Agricultural Adjustment Administration, Washington, D. C.

Field Assistants are not involved in this report except to furnish the forms and to determine whether or not such reports are being made. They should advise the Tobacco Section, Agricultural Adjustment Administration, Washington, D. C. of cases they learn about where such reports are not being made.

K. Dealers Reports of Sales and Resales

This report, Form 33-Tobacco 22, is to be made out by dealers in accordance with the Regulations (Sections 604 and 605) covering both purchases and resales at auction and purchases and resales other than at auction. Dealers who do not purchase tobacco except at warehouse sale, or who do not resell, prior to redrying, more than 15 percent of their purchases are not required to make this report. (See Regulations, Section 606.) This report is to be sent by dealers directly to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., but Field Assistants should determine, so far as possible, that such reports are being made.

For further information and instructions, Field Assistants will get in touch with the Field Officer supervising this work in the tobacco belt where they are located.

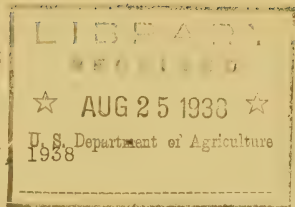
A handwritten signature in cursive script, reading "William Collins". The signature is written in dark ink and is centered on the page.

William Collins,
Chief, Tobacco Section,
Agricultural Adjustment Administration.

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

August 17,



MEMORANDUM TO FIELD OFFICERS AND FIELD ASSISTANTS 1/

With respect to the Administration of the Tobacco Marketing Quota
Provisions of the Agricultural Adjustment Act of 1938.
(Flue-cured Tobacco)

Prior to the opening of the flue-cured tobacco auction markets the Field Officer in charge of a market belt will meet with the Field Assistants for that belt for the purpose of outlining the work and giving instructions with respect to the checking of tobacco sales with marketing quotas and work related thereto. At that time each Field Assistant will be assigned to a particular market and will have delivered to him the necessary forms and supplies.

On each market where two or more Field Assistants are assigned, one will be designated as in charge of that market. The person so designated will be expected to do the same type of work as the other men except that he may have some additional duties in which he will be instructed by the Field Officer.

Field Assistants will perform important functions having to do with the determination and collection of penalties on tobacco sales. Therefore, it is very necessary that their work be done honestly, accurately and rapidly enough that the settlements of warehousemen with growers will not be delayed. If any Field Assistant is inaccurate, careless, or fails to follow instructions, or if his conduct is such as to make him unsuitable for the job, we will have no alternative but to promptly replace him.

The "Regulations pertaining to flue-cured tobacco marketing quotas --" should be carefully studied by all Field Officers and Field Assistants and used as the guide for this work. This memorandum has been prepared to cover more details, but whenever in doubt about any point concerning the program refer to the Regulations (Form 38-Tobacco 28).

PART I -- FORMS

Following is a list of the forms to be used in connection with this work and a brief statement as to the distribution of each after it has been prepared:

1/ This memorandum is a revision of and supercedes the memorandum on same subject dated July 23, 1938.

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County Offices only.

Form 38-Tobacco 13, "Operators Receipt for Marketing Card."

County Offices only.

Form 38-Tobacco 14, "1938-1939 Marketing Card". (Flue-cured Tobacco)

County offices will issue all marketing cards and will fill out the front page thereof and will enter on the inside, at the top of column 1, the number of pounds of quota which should be the same as the quota written in words on the front of the card. (Entries to be made on the card by Field Assistants are explained in Part II hereof.)

B. Forms Prepared by Field Assistants

Form 38-Tobacco 15, "Record of Quota Transfer."

To be prepared in duplicate and both copies mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., along with the original of Form 23.

Form 38-Tobacco 16, "Receipt for Memoranda of Sale Forms."

To be prepared and distributed as indicated by footnote on the form.

Form 38-Tobacco 17, "Memorandum of Warehouse Sale."

To be prepared in triplicate as bound in the book. The white copies (17) to be detached and delivered to the warehousemen. The thin sheets (17a) to remain in the book. The green copies (17b) to be detached and mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., supporting the "Daily Report of Producers' Sales", (19).

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Same as for Form 38-Tobacco 17, except that buyer and producer sign the certificate if the sale is subject to penalty, and that the white copy (18) goes to the buyer.

Form 38-Tobacco 19, "Daily Report of Producers' Sales."

This report will show the totals of figures on memoranda of auction sale (17) for each warehouse each sale day. It will also be

used by Field Assistants to report the memoranda of sale other than auction (18) that were issued to dealers.

When this report is a summary of warehouse sales, the white copy (19) will be given to the warehouseman. When it is a report on non-warehouse sales, the white copy is not used. In all cases the duplicate (19a) will be signed by each Field Assistant participating in the report and mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., along with the copies of memoranda of sale (17b or 18b) covered by this report. The triplicate (19b) will be retained by Field Assistant in charge of market.

C. Forms Prepared by Producers

Form 38-Tobacco 23, "Authorization for Transfer."

A supply of this form should be in the hands of Field Assistants to give to warehousemen and producers in cases where producers wish to transfer part or all of their quota. If the transfer is made directly from one producer to another, the original will be delivered to the Field Assistant, who will forward it to the Comptroller along with Form 15. In case a transfer is to be made through a warehouseman, as agent for the producer, the original will be delivered to the warehouseman. In either case the duplicate may be retained by the producer authorizing the transfer.

Form 38-Tobacco 25, "Certificate of Exemption."

A supply of this form should be kept by Field Assistants for delivery to producers who have a legal right to claim exemption from penalty as provided in the Regulations (Sec. 303 b and c). Any person executing this form and desiring to retain a copy of the form may execute it in duplicate. The original, properly executed, shall be delivered to the Field Assistant at the warehouse where the tobacco described has been sold and shall be attached to the duplicate copy of the Memorandum of Sale for this particular tobacco.

Form 38-Tobacco 27, "Request for Sale Subject to Penalty."

A supply of this form should be kept by Field Assistants for delivery to producers who request that a sale of tobacco be subject to penalty before they have used all their quota. When executed, the original (27) shall be delivered to the Field Assistant on the market where said tobacco is sold and shall be attached to the duplicate Memorandum of Sale for such tobacco.

D. Forms to be Prepared by Warehousemen or Dealers

Form 38-Tobacco 20, "Daily Report of Suspensions."

This form to be furnished warehousemen by the Field Assistants. Each warehouseman to make this report daily in duplicate, the reports

to be checked by Field Assistants and signed by them after having been signed by warehousemen. The original to be mailed by warehouseman to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., and the duplicate retained by warehousemen. (Some modification with respect to this report may be permitted during the first few days of the market or when suspensions are unusually numerous. Field Officers will give further instructions as may be necessary.)

Form 38-Tobacco 21, "Daily Auction Warehouse Report."

This form to be furnished warehousemen by Field Assistants and to be prepared daily in duplicate by warehousemen. The original to be mailed by warehousemen to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., and the duplicate retained.

Form 38-Tobacco 22, "Dealers Report of Purchases and Resales."

This form should be distributed to dealers by the Field Officers and Field Assistants. This form is to be made out in duplicate by dealers for each day's transactions, the original to be mailed by the dealer to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., with penalty remittance, and the duplicate retained.

Form 38-Tobacco 24, "Warehouseman's Record of Transfers."

This form will be mailed by the Tobacco Section to warehousemen along with an approved copy of Form 26, as indicated in the following paragraph.

Form 38-Tobacco 26, "Warehouseman's Transfer Agency Agreement."

Two copies of this form will be mailed to each warehouseman before the opening of the markets. Any warehouseman who wishes to act as agent for producers in arranging transfer of quotas will execute both copies of this agreement and mail them to the Tobacco Section, Agricultural Adjustment Administration, Washington, D. C. When approved, one copy of the agreement will be signed by the Chief of the Tobacco Section and returned to the warehouseman with Form 24.

Form 38-Tobacco 28, "Regulations."

Copies of the Regulations will be mailed to warehousemen prior to the opening of the markets. However the Field Assistant in charge of each market will also deliver to each warehouseman a copy of the Regulations. Field Assistants should keep a sufficient supply of Regulations on hand for distribution to dealers.

PART II -- PROCEDURE

While, as previously stated, the Regulations are the guide to this work, the following outline of procedure to be followed by Field Assistants is designed to cover more details with respect to the procedure and the use of the forms heretofore listed.

A. Serially Numbered Forms to be Accounted For

The Memorandum of Sale forms (17 and 18) are serially numbered and each memorandum must be accounted for, either (1) as issued, (2) as voided, or (3) as transferred. Therefore, when books of these forms are issued to Field Assistants they will sign a receipt in triplicate, Form 38-Tobacco 16, copies of which will be distributed as indicated by the footnote on the form. In case a Field Assistant has been issued a book of these forms and does not use the entire book and transfers the unused portion of it to another Field Assistant, the same receipt should be prepared.

B. Marketing Card

When a producer calls at the warehouse office for his check, his marketing card and his sales bill will be presented to the Field Assistant who will issue a Memorandum of Sale before the warehouseman settles with the producer. If the sales bill is not for tobacco produced on the farm as identified by the marketing card, a Memorandum of Sale will not be issued.

If the total pounds sold are within the unused quota as shown on the marketing card, the entry of the amount of pounds covered by the sales bill will be made on the marketing card in column 1 after the words "pounds sold." The amount of the pounds sold will then be deducted from the amount of "unused quota" and entered as the remaining "unused quota." In a case where a producer has some unused quota, but not enough to cover a particular sale, and where the warehouseman refuses to make out two sales bills, one of quota and one for excess, the Field Assistant may issue one Memorandum of Sale to cover both quota and excess. In such case, the entry on the marketing card will be for an amount of pounds equal to the unused quota, which amount will be entered on the Memorandum of Sale as "Sale within quota." The remaining pounds, etc., will be entered on the same Memorandum of Sale as "Sale subject to penalty."

In such cases of split sales bills and double entries on Memoranda of Sale, the gross sales price of the excess, or sale subject to penalty, will be the total amount of money brought by the lowest priced baskets (or part baskets), the pounds of which equal the excess. The penalty will be the greater of 50 percent of such gross sales price or 3 cents per pound of excess. Deducting the gross sale price of the excess, so calculated, from the total money for which the entire lot of tobacco sold, will give the gross sale price of that part of the sale that was within quota. Calculations with respect to split sales should be made on the back of such sales bills so they can be checked later if necessary.

The serial number of the Memorandum of Sale to be written for each sale within quota, and the date of sale will be entered on the marketing card in column 2 opposite the other entry to which applicable. Extreme care must be exercised in making entries on the card both as to the figures entered and as to the deductions made. Do not erase an incorrect entry that may have been made but line out and initial such error and make correct entry in the next proper space below.

See Regulations, sections 406 to 410, with respect to invalid cards, lost cards, cards with insufficient space, etc. Any invalid card, as described in the Regulations, that comes to the attention of a Field Assistant shall be taken up by him and forwarded to the Field Officer.

C. Memoranda of Warehouse Sales

Field Assistants will enter on this form, as the date of sale, the date on which the Memorandum was written, the name of farm operator and code and serial number as shown on the marketing card, and warehouse and town where sale was made. There will likely be a few instances in which producers selling tobacco subject to penalty will refuse to present their marketing card. In such instances, Field Assistants will write on the Memorandum of Sale on the line provided for "code and farm serial number" the name of the county and State in which the tobacco was grown.

The pounds and dollars for "sales within quota" will be entered on the Memorandum of Sale in the block so designated, the pounds being the same as entered on the marketing card. Excess sales, that is "sales subject to penalty" will be entered in the block so designated, in which will also be entered the amount of penalty, which shall be the greater of 3 cents per pound or 50 percent of the gross sale price of the tobacco sold subject to penalty. In cases of sales exempt from penalty which are not entered on the marketing card, the pounds and dollars will be entered as "sales within quota", and in the next block will be written the word "Exempt."

A producer's sale of tobacco at one warehouse on one day is sometimes divided into two or more sales bills in order to identify tenants' interests in the sale. In such cases where two or more bills are presented with and identified by only one marketing card, they may be combined by adding the pound and dollar figures of each. If the total pounds of the several bills are within the unused quota, one Memorandum of Sale may be written therefor and one entry covering the total pounds made on the marketing card. However, if the total pounds of several bills presented at the same time, exceed the unused quota, the operator and tenants concerned must agree and advise the Field Assistant as to the proper division of the unused quota among the bills.

On each sale bill there should be written the serial number of the Memorandum of Sale issued therefor. This number may be written on the face of the bill at some place where it will not be confused with other figures thereon and should be circled or otherwise identified as what it is.

Since all of those records of sales and penalties must be kept separately by warehouses, Field Assistants should arrange, if possible, to use the same memorandum of sale book for one warehouse until that book is completed.

After each Memorandum of Sale is written, the white copy (17) will be detached from the book and passed on to the check writer at the warehouse with the producer's sales bill and marketing card. The green copies (17b) will be detached at the end of each day and mailed to the Comptroller, Agricultural Adjustment Administration, with daily reports as described hereinafter. Space is provided on the thin sheets (17a) for carrying forward the total pounds and dollars from each page to the next page. Such totals should be carried forward currently, and Field Assistants must be sure that such totals for a warehouse for each day are correct.

D. Request For Sale Subject to Penalty

Provision is made whereby a producer may pay the penalty on a sale of tobacco although such sale is not in excess of his unused quota on the date of sale. In such case the producer may sign the request, Form 38-Tobacco 27, covering the sale in question. If such is done, no entry covering such sale shall be made on the marketing card. The memorandum of sale in such case shall be issued as covering a sale subject to penalty, and the penalty computed in the usual manner. If the producer decides to execute this request for sale subject to penalty covering only a part of a sale for which a single sales bill was prepared by the warehouseman, only that part of the sale on which the penalty is not to be paid shall be entered on the marketing card. A double entry, as heretofore described, will then be made on the Memorandum of Sale, entering that part which is "sale within quota" and that part which is "sale subject to penalty" in the proper spaces. The original of the request (Form 38-Tobacco 27) will be attached by Field Assistants to the copy (17b or 18b) of the Memorandum of Sale to be forwarded with it to the Comptroller.

E. Sales Exempt from Penalty

See Section 303 (b and c) of the Regulations with respect to sales exempt from penalty. The certificate, Form 38-Tobacco 25, to be used in such cases must be signed by the producer and also by a representative of the Experiment Station or the Tobacco By-product Manufacturer, as the case may be. Field Assistants will be supplied with this form for delivery to the interested parties in cases where exemption is claimed.

When executed by the proper parties, the form will be delivered to a Field Assistant at the warehouse where the tobacco is sold (or in case of non-warehouse sale to a Field Assistant at the nearest market), and he will enter on it the serial number on the Memorandum of Sale for said sale and also the code and serial number of the farm. This certificate will be attached by Field Assistant to the green copy of the Memorandum of Sale (17b or 18b) issued for such sale to be forwarded with it to the Comptroller.

F. Non Auction Sales

Producers' sales other than on auction warehouse floors will be handled in a manner similar to that for auction sales, except that the "Memoranda of Non Warehouse Sale", Form 38-Tobacco 18, will be issued. This form is similar to "Memorandum of Warehouse Sale" (17), except that it provides for a certification to be executed by the buyer and producer in cases where such sale is subject to penalty. This certificate is not required if the sale is within quota. However, the dealer's registration number must be entered in all cases.

The marketing card and sales bill must be presented to the Field Assistant in cases of sales other than at auction warehouses and entries on the marketing card as to pounds sold and as to serial number of the Memoranda of Sale issued for recording such sales (18) will be the same as in cases of auction sales.

The original of the Memorandum of Non Warehouse Sale (18) will be delivered to the buyer, the thin sheet (18a) will remain in the book, and the green sheet (18b) will be mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C. along with daily report.

In case of such private sale that is subject to penalty, Field Assistant should refuse to write a Memorandum of Sale therefor if he has reasonable grounds to believe that the producer and buyer are falsely certifying to the sale price in order to reduce the amount of penalty.

G. Daily Report of Producers' Sales

At the end of each sale day, Field Assistants shall prepare the "Daily Report of Producers' Sales" (19) for each warehouse at which they worked during that day and for each dealer purchasing tobacco other than at auction and for which they issued "Memoranda of Non Warehouse Sale" (18). These reports are to be by warehouses and dealers for each sale day.

With respect to warehouse sales, one daily report (19) shall be prepared for each warehouse sale, and if two or more Field Assistants worked at a warehouse during a day they shall enter their part of the report for that warehouse separately. For example, if two men work at one warehouse during one sale day, the daily report for that warehouse should have two lines entered on it showing the first and last serial numbers of the memoranda of sale issued by each Field Assistant and the total pounds and dollars, as provided for in the form. The pounds and dollars entered on this form by each Field Assistant will be the grand total of such figures for all of the memoranda of sale issued at said warehouse on said day. If a Field Assistant issues memoranda of sale at more than one warehouse during a sale day, he should enter the data specified above on the report for each of those warehouses for that day.

Field Assistants need not attempt to combine their daily reports for sales other than auction warehouse, but each Field Assistant, who issues Memorandum of Non Warehouse Sale (18) should make a separate report with respect to each dealer for each day during which he issued this form.

The original of this Daily Report of Producers' Sales (19) with respect to a warehouse shall be given to the warehouseman and the duplicate and triplicate (19a and 19b) shall be signed by each Field Assistant on the line showing entry with respect to memoranda of sale issued by him. Field Assistants may hold the duplicate (19a) for a few days (but not longer than the end of the week during which prepared) to give the warehousemen a chance to check the report with their records. The duplicate (19a) will then be mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C. along with copies of the Memorandum of Sale (17) or Memoranda of Non Warehouse Sale (18) that each report summarizes. The triplicate (19b) will be retained by the Field Assistant in charge of the market.

In case errors are made in any daily report and discovered before the report is mailed, the correction will be made on each copy and called to the attention of the warehouseman. If error is discovered after the report is mailed, a letter correcting the error should immediately be addressed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C.

When these Daily Reports are received at the office of the Comptroller, Agricultural Adjustment Administration, they will be checked against the copies of the Memorandum of Sale accompanying them. If errors are noted, Field Assistants will be advised of them. These copies of Memorandum of Sale will be mailed by the office of the Comptroller, Agricultural Adjustment Administration, to the proper counties as shown by the code numbers entered on the forms. In order that these records may not be sent to the wrong counties, it is important that the code and serial numbers be entered correctly on all Memoranda of Sale.

H. Transfer of Quotas

With respect to transfer of quotas, study carefully Article V. of the Regulations, Sections 501 to 516.

A producer desiring to transfer all or part of his marketing quota to another producer or to a warehouseman, as agent for arranging the transfer for him, will sign Form 38-Tobacco 23, Authorization of Transfer. If such transfer is to be made directly from one producer to another, the original of this executed form will be delivered to the Field Assistant who will forward it to the Comptroller along with both copies of Form 15. Also the marketing cards for each of the producers, the one from whom the transfer is to be made and the one to whom the transfer is to be made will be presented to the Field Assistant. The Field Assistant will then enter on the card from which

the transfer is to be made, the number of pounds transferred in column 1 the same as if said tobacco was sold, except the Field Assistant will line out the "pounds sold" and write in the word "transfer." In column 2 of the card opposite the entry for the transferred pounds, enter the code and serial number shown on the card to which transfer is made. The Field Assistant will put his initials along side this code and serial number. The pounds transferred will be deducted from the unused quota and the balance entered in the line below in the same manner as if the pounds transferred had been sold.

On the card to which the transfer is made, the pounds transferred will be entered in column 1 on a line for "pounds sold" and the words "pounds sold" will be lined out and the word "transferred" written in. In this case the pounds transferred will be added to the unused quota and the total entered in the next line for unused quota. In column 2 opposite the entry of the pounds transferred to the card, the Field Assistant will write his initials. On the back of the card to which a transfer is made, the Field Assistant will enter the date and pounds of the transfer and affix his signature. If more than one transfer is made to a card, the same entries for each transfer will be entered on the back thereof, there being space for entering four transfers. Transfers between producers can also be made and entered on the cards, in the manner described above, by county offices.

In case where a transfer is to be made through a warehouseman as agent, the executed Authorization for Transfer (23) will be given to the warehouseman by the producer. The warehousemen will use the book Form 38-Tobacco 24, "Warehousemen's Record of Transfer" for recording all transfers in accordance with the Regulations, Article V.

Prior to transfer to other marketing cards of the pounds listed on a warehouseman's record book, the same shall be presented to a Field Assistant along with the marketing cards so listed. The Field Assistant will then enter on the marketing cards from which transfers are made the pounds transferred, in the same manner described above.

As a warehouseman desires to transfer all or part of the quota so transferred to him as agent (see Regulations, Section 513, as to order of transfer), he will present to the Field Assistant his transfer book and the card or cards to which transfers are to be made. The Field Assistant will then enter on each card the amount to be transferred to it, provided there is sufficient balance of transfers to the book to cover such transfer from it, and provided that a complete entry has been made in the book of each transfer to be made from it. The Field Assistant will then enter on each card to which the transfer is made, the pounds so transferred and other entries as previously described in case of direct transfer between two producers.

As transfers are entered on marketing cards by Field Assistants, they will prepare in each instance "Record of Quota Transfer," Form 38-Tobacco 15, in duplicate and mail both copies to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., for distribution to the counties involved.

I. Warehouse Daily Report of Suspensions

Each warehouseman is required by the Regulations (Section 603) to make a Daily Report of Suspensions, Form 38-Tobacco 20. The sales suspended, that is sales for which Memoranda of Sale were not issued on the day of sale, should be listed showing pounds and gross price in each instance. This report also includes a listing of sales previously suspended on which Memoranda of Sale were issued during the day for which the report is made.

This completed form is to be delivered to a Field Assistant at the warehouse for which the report is made, and when verified by him to the best of his knowledge and belief, will be signed by him and mailed to the Comptroller, Agricultural Adjustment Administration, Washington, D. C.

J. Daily Auction Warehouse Report

This report, Form 38-Tobacco 21, is required of each warehouse for each sale day in accordance with the Regulations (Section 603). The form itself shows what entries will be made, except that in "dealer's resale" should be included an entry for resales by the warehouseman for his leaf account. Also, on the back of the form where buyers' purchases are listed, purchases by warehouse for its leaf account should be included. This report is sent directly by warehousemen to the Comptroller, Agricultural Adjustment Administration, Washington, D. C.

The Field Assistant in charge of each market will furnish each warehouseman with a supply of these forms when the markets open and explain the use of them. Field Assistants will assist warehousemen, insofar as possible, in making this daily report. They will determine whether or not such reports are being made, and will immediately advise the Field Officer of cases they learn about where such reports are not being made by warehousemen.

K. Dealers Reports of Sales and Resales

This report, Form 38-Tobacco 22, is required of dealers in accordance with the Regulations (Sections 604 and 605) covering both purchases and resales at auction and purchases and resales other than at auction. An ample supply of this form should be kept on hand by Field Assistants and furnished to all dealers of whom they have knowledge who should make this report. Dealers who do not purchase tobacco except at warehouse sale, and who do not resell, prior to redrying, more than 15 percent of their purchases are not required to make this report. (See Regulations, Section 606). This report shall be sent by dealers directly to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., but Field Assistants should determine, so far as possible, that such reports are being made.

For further information and instructions, Field Assistants will get in touch with the Field Officer supervising this work in the tobacco belt where they are located.

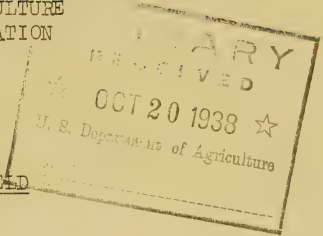
A handwritten signature in dark ink, appearing to read 'Wm Collins', written in a cursive style.

William Collins,
Chief, Tobacco Section,
Agricultural Adjustment Administration.

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

October 13, 1938



MEMORANDUM TO FIELD OFFICERS, FIELD
ASSISTANTS AND COUNTY OFFICES

Re: Flue-Cured Marketing Cards

Supplement 1 to Form 38-Tobacco 28, Regulations Pertaining to Flue-Cured Tobacco Marketing Quotas for the 1938-39 Marketing year, will necessitate that more complete information be shown on new cards issued to replace cards previously issued.

New cards which are issued to replace cards because they are completely filled, or for other reasons, shall show the following poundage figures taken from the card which is being replaced:

- (1) Pounds for which card was issued.
- (2) Pounds transferred from the card.
- (3) Pounds transferred to the card since September 28th.

The items and figures will be shown on the inside of the card, the entries by lines being:

- (1) "Original quota": The amount of the quota for which the card being replaced was written.
- (2) "Transferred from": Total pounds transferred from the card being replaced.
- (3) Difference between lines (1) and (2).
- (4) "Transferred to": Total pounds transferred since September 28th to the card being replaced.
- (5) Total of lines (3) and (4).

The entry on line (5) will be in agreement with the pounds written on the face of the card, which is the amount of the unused quota being transferred from the card being replaced.

The card number shall be "R" followed by the number given the card being replaced.

Cards issued in Georgia and Florida shall be honored for transfer only if they have been previously approved by the Chief of the Tobacco Section, A.A.A. This approval will be evidenced either by a letter above the signature of the Chief of the Tobacco Section, A.A.A., or by the following statement and signature on the card itself: "Approved for transfer, William Collins, Chief, Tobacco Section, A.A.A."

Quota may be transferred from cards issued in States other than Georgia and Florida, provided that such cards are valid and meet with all previously issued Regulations and Instructions, including the amendment covered in Memorandum of September 29 limiting re-transfer of marketing quota to an amount not exceeding 10 percent of the poundage of quota for which the card was originally issued.

A handwritten signature in cursive script, reading "William Collins". The signature is written in dark ink and is positioned above the typed name and title.

William Collins,
Chief, Tobacco Section

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

NO. 13

November 2, 1938

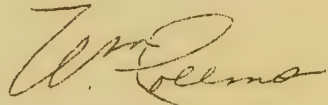
MEMORANDUM TO FIELD OFFICERS, FIELD ASSISTANTS,
STATE AND COUNTY OFFICES

Re: Transfer of Flue-cured Marketing Quota

Representatives of the Agricultural Adjustment Administration who are authorized to make transfers of marketing quota are hereby notified that, effective immediately, they shall require that both the operator whose name appears on the card from which the transfer is to be made and the operator whose name appears on the card to which the transfer is to be made, shall be identified to their satisfaction.

Transfers that are made through a warehouseman acting as agent shall be entered in the warehouseman's transfer record book, and it shall be the responsibility of the warehouseman to see that both the operator whose name appears on the card from which the transfer is to be made and the operator whose name appears on the card to which the transfer is to be made, are identified satisfactorily.

The Field Assistant in charge of each market will see that a copy of this memorandum is delivered to each warehouse conducting an auction sale of flue-cured tobacco.



William Collins,
Chief, Tobacco Section.



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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

NOV 27 1938
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November 26, 1938

MEMORANDUM TO FIELD OFFICERS AND FIELD ASSISTANTS

With respect to the Administration of the Tobacco Marketing Quota Provisions of the Agricultural Adjustment Act of 1938.
(Fire-cured and Dark Air-cured Tobacco)

Prior to the opening of the fire-cured and dark air-cured tobacco auction markets the Field Officer in charge of a market belt will meet with the field assistants for that belt for the purpose of outlining the work and giving instructions with respect to the checking of tobacco sales with marketing quotas and work related thereto. At that time each field assistant will be assigned to a particular market and will have delivered to him the necessary forms and supplies.

On each market where two or more field assistants are assigned, one will be designated as in charge of that market. The person so designated will be expected to do the same type of work as the other men except that he may have some additional duties in which he will be instructed by the Field Officer.

Field assistants will perform important functions having to do with the determination and collection of penalties on tobacco sales. Therefore, it is very necessary that their work be done honestly, accurately and rapidly enough that the settlements of warehousemen with growers will not be delayed. If any field assistant is inaccurate, careless, or fails to follow instructions, or if his conduct is such as to make him unsuitable for the job, we will have no alternative but to promptly replace him.

The "Regulations pertaining to fire-cured and dark air-cured tobacco marketing quotas --" should be carefully studied by all Field Officers and field assistants and used as the guide for this work. This memorandum has been prepared to cover more details, but whenever in doubt about any point concerning the program, refer to the Regulations.

PART I -- FORMS

The following is a list of the forms to be used in connection with the 1938-39 fire-cured and dark air-cured tobacco marketing quota:

<u>Form 38- Tobacco Number</u>	<u>Title</u>	<u>To be prepared by</u>
25	Certificate of exemption	Producer
27	Request for sale subject to penalty	Producer
43	Notice of farm marketing quota for fire-cured and dark air-cured tobacco	County office
44	Operator's receipt for marketing card	County office
45	Marketing card (1938-39 fire-cured and dark air-cured tobacco)	County office
55	Memorandum of warehouse sale	Field assistant
56	Memorandum of nonwarehouse sale	Field assistant
57	Receipt for memorandum of sale forms	Field assistant
58	Daily auction warehouse report	Field assistant
59	Dealer's daily report	Field assistant
60	Memorandum of resale	Field assistant
61	Daily report of producers' sales suspended	Field assistant
62	Auction warehouse report	Warehouseman
63	Dealer's report of purchases and resales	Dealer
66	Authorization for quota transfer	County office or field assistant
67	Record of quota transfer	County office or field assistant
68	County office transfer book	County office

PART II -- PROCEDURE

A. Serial number of forms to be accounted for

The memorandum of sale forms (38-Tobacco 55, 56, and 60) are numbered serially and each number must be accounted for, either (1) is issued, (2) as voided, or (3) as transferred. Therefore, when books of these forms are issued to field assistants they shall prepare and sign Form 38-Tobacco 57, "Receipt for Memorandum of Sale Forms". The three copies of this form shall be distributed as indicated by the note on the form. The field assistant shall be responsible for the memorandum of sale forms that are charged out against his name. If he does not use an entire book, the unused portion should be accounted for by the preparation of Form 38-Tobacco 57 at the time the unused portion is transferred to another field assistant.

B. Marketing card

When a producer calls at the warehouse office for his check, his marketing card and his sales bill will be presented to the field assistant, who will issue a memorandum of sale before the warehouseman settles with the producer. If the sales bill is not for tobacco produced on the farm, as identified by the marketing card, a memorandum of sale will not be issued.

If the total pounds sold are within the unused quota, as shown on the marketing card, the entry of the amount of pounds covered by the sales bill will be made on the marketing card in column 1 after the words "pounds sold". Entries will be made so that there will be one digit in each block, and vacant blocks to the left will be lined out. The amount of the pounds sold will then be deducted from the amount of "unused quota" and entered as the remaining "unused quota". The serial number of the memorandum of sale written for each sale within quota, and the date of sale will be entered on the marketing card in column 2 opposite the other entry to which applicable. The following is an illustration of the manner of making entries on the marketing card:

	Pounds (1)					Serial No. of Memo. of Sale and Date (2)	Code and Serial No. Signature (3)
Quota	---	1	0	0	0	123,720	(No entry except for transfer)
Pounds sold	---	---	5	0	0	11/28/36	(No entry except for transfer)
Unused quota	-----	5	0	0	0		

In a case where a producer has some unused quota, but not enough to cover a particular sale, and where the warehouseman does not make out two sales bills, one of quota and one for excess, the field assistant may issue one memorandum of sale to cover both quota and excess. In such case, the entry on the marketing card will be for an amount of pounds equal to the unused quota, which amount will be entered on the memorandum of sale as "Sale within quota". The remaining pounds, etc., will be entered on the same memorandum of sale as "Sale subject to penalty".

Extreme care must be exercised in making entries on the card both as to the figures entered and as to the deductions made. Do not erase an incorrect entry that may have been made, but line out and initial such error and make correct entry in the next proper space below.

See Regulations with respect to invalid cards, lost cards, cards with insufficient space, etc. Any invalid card, as described in the Regulations, that comes to the attention of a field assistant shall be taken up by him and forwarded to the field officer.

C. Memoranda of warehouse sales

Field assistants will enter on this form, as the date of sale, the date on which the memorandum was written, the name of farm operator and code and serial number as shown on the marketing card, and warehouse and town where sale was made. There will likely be a few instances in which producers selling tobacco subject to penalty will refuse to present their marketing card. In such instances, field assistants will write on the memorandum of sale on the line provided for "code and farm serial number" the name of the county and State in which the tobacco was grown.

The pounds and dollars for "sales within quota" will be entered on the memorandum of sale in the block so designated, the pounds being the same as entered on the marketing card. Excess sales, that is "Sales subject to penalty" will be entered in the block so designated, in which will also be entered the amount of penalty, which shall be the greater of 3 cents per pound or 50 percent of the gross sale price of the tobacco sold subject to penalty. In cases of sales exempt from penalty which are not entered on the marketing card, the pounds and dollars will be entered as "Sales within quota", and in the next block will be written the word "Exempt."

A producer's sale of tobacco at one warehouse on one day is sometimes divided into two or more sales bills in order to identify tenants' interests in the sale. In such cases where two or more bills are presented with and identified by only one marketing card, they may be combined by adding the pound and dollar figures of each. If the total pounds of the several bills are within the unused quota, one memorandum of sale may be written therefor and one entry covering the

total pounds made on the marketing card. However, if the total pounds of several bills presented at the same time, exceed the unused quota, the operator and tenants concerned must agree and advise the field assistant as to the proper division of the unused quota among the bills.

Where a part of the sale is within quota and a part subject to penalty, the gross price of the sale within quota will be the higher valued tobacco, while the gross price of the sale subject to penalty will be the lower valued tobacco. For example, if a sales bill showed four lots, as follows:

100 pounds at 20 cents	\$20.00
100 pounds at 15 cents	15.00
100 pounds at 10 cents	10.00
100 pounds at 5 cents	5.00

and the unused quota, as shown on the marketing card, is 250 pounds, the gross price of the sales within quota would be \$40.00. The gross price of the 150 pounds of tobacco sales subject to penalty would be \$10.00, the 100 pounds of tobacco sold at 5 cents, the lowest price, and 50 pounds of the 10-cent tobacco, would be used as sales subject to penalty. The balance of the tobacco, which was the higher valued tobacco, would be used as sale within quota. The penalty would be \$5.00, which is 50 percent of the sale price, since \$5.00 is larger than 3 cents a pound (150 pounds times 3 cents, or \$4.50). Calculations with respect to such sales should be made on the back of such sales bills so that they can be checked later if necessary.

On each sale bill there should be written the serial number of the memorandum of sale issued therefor. This number may be written on the face of the bill at some place where it will not be confused with other figures thereon and should be circled or otherwise identified as what it is.

Since all of those records of sales and penalties must be kept separately by warehouses, field assistants shall arrange to use the same memorandum of sale book for one warehouse until that book is completed.

After each memorandum of sale is written, the white copy (55) will be detached from the book and passed on to the check writer at the warehouse with the producer's sales bill and marketing card. The copies 55a will be detached at the end of each day and mailed to the Comptroller, A.A.A., with daily reports as described hereinafter.

D. Tobacco delivered to cooperative marketing association

Delivery of dark tobacco to a cooperative for advance shall be considered as a warehouse sale. In such case, if the sale is within quota, the receipt given the producer by the cooperative shall be considered as a sales bill and the amount of the advance shown thereon shall be used as the gross sales price on the memorandum of warehouse sale. It is anticipated that the dark tobacco cooperatives will receive and make advances only on tobacco within quota, in connection with a diversion program. If any producer should deliver to a cooperative dark tobacco in excess of quota, the management of the cooperative should be instructed to withhold settlement with the producer until a procedure for handling such excess has been approved. Such a case should also be reported to the field officer. If and when any procedure is approved for calculating penalties on excess dark tobacco delivered to cooperatives, or for otherwise handling such excess, additional instructions will be furnished.

E. Memorandum of resale

The warehouseman shall present to a field assistant stationed at the warehouse all warehouse sales bills covering resales made during the day. These sales bills shall be clearly marked, or otherwise identified by the warehouseman, as resales, and shall show the name and registration number of the dealer who is selling the tobacco as resale tobacco. The field assistant shall prepare the "Memorandum of Resale", Form 38-Tobacco 60, by entering the following information thereon: (1) "dark", as the kind of tobacco, (2) date of resale, (3) pounds and gross price, (4) name of the warehouse and the market where the resale took place, and (5) the seller's name and registration number. The form should be dated and signed by the field assistant, and the original copy should be delivered to the warehouseman. Copy 60a should be mailed to the Comptroller, A.A.A. Washington, D. C., with the other daily reports.

F. Daily report of producers' sales suspended

The warehouseman shall present to a field assistant stationed at the warehouse all warehouse bills covering producers' sales which have been suspended. These warehouse bills should be clearly marked, or otherwise identified by the warehouseman, as producers' sales suspended, on which not more than 25 percent of the gross price has been paid or advanced to the producer. The field assistant shall prepare the daily report of producers' sales suspended by listing thereon the information required with respect to each warehouse bill. After completing this form, the field assistant who prepared the report will sign in the space provided for his signature, and will obtain the signature of the warehouseman. Copy 61a will be delivered to the warehouseman, and the original copy will be mailed to the Comptroller, A.A.A., Washington, D. C. with the other daily reports. Copy 61b will be retained by the field assistant.

G. Memorandum of nonwarehouse sales

Producers' sales other than on warehouse floors will be handled in a manner similar to that for auction sales, except that the "Memorandum of Nonwarehouse Sale", (Form 38-Tobacco 56) will be issued. This form is similar to "Memorandum of Warehouse Sale" (38-Tobacco 55), except that it provides for a certification to be executed by the buyer and producer in cases where such sale is subject to penalty. This certificate is not required if the sale is within quota. However, the dealer's registration number must be entered in all cases.

The marketing card and sales bill must be presented to the field assistant in cases of sales other than at warehouses, and entries on the marketing card as to pounds sold and as to serial number of the memorandum of sale (56) issued for recording such sales will be the same as in cases of warehouse sales.

The original of the memorandum of nonwarehouse sale (56) will be delivered to the buyer, and the pink copy (56a) will be mailed to the Comptroller, A.A.A., Washington, D. C., with the other daily reports. The third copy (56b) will remain in the book, which will be forwarded to the Comptroller, A.A.A., Washington, D. C., when completed.

In case of a nonwarehouse sale that is subject to penalty, the field assistant should refuse to write a memorandum of sale therefor if he has reasonable grounds to believe that the producer and buyer are falsely certifying to the sale price in order to reduce the amount of penalty.

H. Request for sale subject to penalty

Provision is made whereby a producer may pay the penalty on a sale of tobacco although such sale is not in excess of his unused quota on the date of sale. If the producer elects to pay the penalty, no entry covering such sale shall be made on the marketing card. The memorandum of sale in such case shall be issued as covering a sale subject to penalty, and the penalty computed in the usual manner. If the producer makes a request for sale subject to penalty covering only a part of a sale for which a single sales bill was prepared by the warehouseman, only that part of the sale on which the penalty is not to be paid shall be entered on the marketing card. A double entry, as heretofore described, will then be made on the memorandum of sale, entering that part which is "sale within quota" and that part which is "sale subject to penalty" in the proper spaces. If a "Request for Sale Subject to Penalty" (Form 38-Tobacco 27) is prepared, the original copy will be attached by the field assistant to the pink copy (55a or 56a) of the memorandum of sale, to be forwarded with it to the Comptroller, A.A.A., Washington, D. C.

I. Sales exempt from penalty

See the Regulations with respect to sales exempt from penalty. The Certificate, Form 38-Tobacco 25, to be used in such cases must be signed by the producer and also by a representative of the experiment station or the tobacco by-product manufacturer, as the case may be. Field assistants will be supplied with this form for delivery to the interested parties in cases where exemption is claimed.

When executed by the proper parties, the form will be delivered to a field assistant at the warehouse where the tobacco is sold (or in case of nonwarehouse sale, to a field assistant at the nearest market), and he will enter on it the serial number on the memorandum of sale for said sale and also the code and serial number of the farm. This certificate will be attached by the field assistant to the pink copy of the memorandum of sale (55a or 56a) issued for such sale, to be forwarded with it to the Comptroller, A.A.A., Washington, D.C.

J. Daily auction warehouse report

At the end of each sale day, the field assistant shall prepare the "Daily Auction Warehouse Report" (Form 38-Tobacco 58) for each warehouse at which he worked during that day. One daily report (58) shall be prepared for each warehouse, and if two or more field assistants worked at a warehouse during a day, they shall enter their part of the report for that warehouse separately. For example, if two men work at one warehouse during one sale day, the daily report for that warehouse should have two lines of entries on it showing the first and last serial numbers of the memoranda of sale issued by each field assistant, and the total pounds and dollars, as provided for on the form. The pounds and dollars entered on this form by each field assistant will be the total of such figures for all of the memoranda of sale issued at said warehouse by him on said day. If a field assistant issues memoranda of sale at more than one warehouse during a sale day, he should enter the data specified above on the report for each of those warehouses for that day. Dealers' resales will be reported in a like manner in the space provided on this form for resales. The signature of each field assistant will be entered on the appropriate line on the yellow and green copies (58a and 58b) of the daily auction warehouse report, prior to delivery to the field assistant in charge of the market.

The original copy (58) and the white carbon copy (58c) of the daily auction warehouse report shall be given to the warehouseman, and the other two copies shall be signed by the field assistant in charge of the market on the line provided for his signature. The field assistant in charge of the market may hold these two copies for a few days (but not longer than the end of the week during which prepared) to give the warehouseman a chance to check the report with his records. The yellow

copy (58a) will then be mailed to the Comptroller, A.A.A., Washington, D. C., with copies of the memoranda of warehouse sale (55a) and memorandum of resale (60a) that each report summarizes. The green copy (58b) will be retained by the field assistant in charge of the market.

In case errors are made in any daily report and discovered before the report is mailed, the correction will be made on each copy and called to the attention of the warehouseman. If error is discovered after the report is mailed, a letter correcting the error should immediately be addressed and sent to the Comptroller, A.A.A., Washington, D. C.

K. Dealer's daily report

Each field assistant who writes memoranda of nonwarehouse sale to cover sales made by producers to dealers other than at an auction warehouse, shall prepare a Dealer's Daily Report (Form 38-Tobacco 59), on which he will record the required data with respect to memoranda of sale issued by him for producers' sales to said dealer. Field assistants need not attempt to combine their daily reports with respect to nonwarehouse sales made to a dealer, but each field assistant who issues memoranda of nonwarehouse sale (56) should make a separate report with respect to each dealer for each day on which he issues such memoranda.

The original copy (59) and the white carbon copy (59c) of the dealer's daily report shall be given to the dealer, and the other two copies shall be signed by the field assistant on the appropriate line. The field assistant shall deliver these two copies to the field assistant in charge of the market, who may hold them for a few days (but not longer than the end of the week during which prepared) to give the dealer a chance to check the report with his records. The pink copy (59a) will then be mailed to the Comptroller, A.A.A., Washington, D. C., with copies of memoranda of nonwarehouse sale (56a) that the report summarizes. The blue copy (59b) will be retained by the field assistant in charge of the market.

In case errors are made in any daily report and discovered before the report is mailed, the correction will be made on each copy and called to the attention of the warehouseman. If error is discovered after the report is mailed, a letter correcting the error should immediately be addressed and sent to the Comptroller, A.A.A., Washington, D. C.

L. Transfer of quota

See the Regulations regarding transfer of quota from a farm.

The amount of quota which may be transferred to a farm shall not exceed the larger of: (1) 10 percent of the quota for the farm, or (2) 500 pounds.

The total amount of quota transferable to a card will be either:

(a) The amount entered as transferable to the card in the space immediately below the heading "Marketing Card (1938-39 Fire-Cured and Dark Air-Cured Tobacco)", or

(b) If no amount is entered in this space, the amount of quota transferable to the card will be the larger of: (1) 10 percent of the quota for the farm, as shown on the card, or (2) 500 pounds.

To determine the amount of quota transferable to the card at any time, subtract the total of all previous transfers to the card from the maximum amount transferable to the card at time of issuance.

Direct transfers between two farms may be made by a field assistant or by a representative authorized to make transfers at the county office.

Transfers to a County Office Transfer Book, (Form 38-Tobacco 68) shall be made only in the county in which the farm from which quota is to be transferred is located.

Transfers may be made from the county office transfer book in one county to the county office transfer book in another county either in the same State or in different States.

Form 38-Tobacco 66, "Authorization for Quota Transfer", is made up in sets with the carbon inserted. The authorization shall be completely filled in before the operator of the farm from which quota is to be transferred signs it. The representative of the Agricultural Adjustment Administration authorized to make transfers shall either know the operator signing the authorization or shall know the witness to the operator's signature, and shall be satisfied that the operator of the farm from which the quota is to be transferred actually did sign the authorization before he makes the entries on the cards and signs the authorization.

The entries on the marketing card for the farm from which quota is transferred shall be made as follows:

Column (1)

- (a) Enter the number of pounds transferred on the line marked "Pounds Sold".
- (b) On the line immediately below, marked "Unsold Quota", enter the difference between the previous unused quota and the pounds transferred. Line out vacant blocks to the left of the entry.

Column (2)

- (a) Enter the date on the line opposite the balance of unused quota prior to such transfer.
- (b) Enter the words "Subtract Transfer" or "Sub. Trans." opposite the number of pounds transferred

Column (3)

- (a) The A.A.A. representative who made the transfer shall sign his name opposite the date.
- (b) Enter the code and serial number for the farm to which the quota is transferred, or the name of the county and State, if the quota is entered in the transfer book, opposite "Subtract Transfer" or "Sub. Trans."

The following is an illustration of the entries to be made on the marketing card to record transfers from the farm:

	Pounds (1)				Serial No. of Memo. of Sale and Date (2)	Code and Serial No. Signature (3)
Quota	—	1	0	0	0	123,720
Pounds sold	—	5	0	0	0	11/28/38
Unused quota	—	5	0	0	0	11/29/38 John Doe
Pounds sold	—	5	0	0	0	Sub. Trans. 00-000-0
Unused quota	—				0	

The entries on the marketing card for the farm to which quota is transferred shall be made as follows:

Column (1)

- (a) Enter the number of pounds transferred on line marked "Pounds Sold".
- (b) On the line immediately below, marked "Unused Quota", enter the sum of the two previous items, i.e., unused quota and pounds transferred. Line out vacant blocks to the left of the entry.

Column (2)

- (a) Enter the date on the line opposite the balance of unused quota prior to such transfer.
- (b) Enter the words "Add Transfer" or "Add trans," opposite number of pounds transferred.

Column (3)

- (a) The A.A.A. representative who made the transfer shall sign his name opposite the date.
- (b) Enter the code and serial number for the farm from which the quota is transferred, or the name of the county and State, if the quota is transferred from a transfer book, opposite "Add Transfer" or "Add Trans."

The following is an illustration of the entries to be made on the marketing card to record transfers to the farm:

	Pounds (1)				Serial No. of Memo. of Sale and Date (2)	Code and Serial No. Signature (3)
Quota	---	1	0	0	0	123,720
Pounds sold	-----	5	0	0	0	11/28/38
Unused quota	-----	5	0	0	0	11/29/38
Pounds sold	-----	2	0	0	0	Add Trans.
Unused quota	-----	7	0	0	0	00-000-0

M. Auction warehouse report

Every warehouseman shall prepare a monthly report on Form 38-Tobacco 62, "Auction Warehouse Report". This report shall be sworn to by the warehouseman, and filed with the Comptroller, A.A.A., Washington, D. C., on or before the tenth day of the month immediately following the month for which the report is made.

The warehouseman shall report the total of the producers' sales made during the month on which memoranda of sale have been issued. The producers' sales within quota will be separated from those subject to penalty. He shall also report the total of the producers' sales held in suspension at the end of the month; i.e., the total of the sales previously suspended which have not been cleared on or before the last day of the month for which the report

is made. All sales made on the warehouse floor by dealers, including the warehouse leaf account, shall be reported as dealers' resales. All purchases made on the warehouse floor by dealers, including the warehouse leaf account, shall be reported as dealers' purchases.

The field assistant in charge of each market will furnish each warehouseman with a supply of these forms when the markets open, and explain the use of them. Field assistants, insofar as possible, will determine whether or not such reports are being made, and will immediately advise the field officer of cases they learn about where such reports are not being made by warehousemen.

N. Dealer's report of purchases and sales

Every dealer purchasing dark tobacco shall prepare a monthly report on Form 38-Tobacco 63, "Dealer's Report of Purchases and Sales". This report shall be sworn to by the dealer, and filed with the Comptroller, A.A.A., Washington, D. C., on or before the tenth day of the month immediately following the month for which the report is made.

The dealer shall report, by warehouses, the total purchases and sales made at auction warehouses. He shall report the purchases made from producers other than at an auction warehouse, showing the total number of memoranda of nonwarehouse sale covering his purchases, the purchases within quota, the purchases subject to penalty, and the amount of the penalty. He shall also report the purchases made from dealers, and sales made to dealers, other than at an auction warehouse, showing the name, address, and registration number of each dealer and the pounds and gross price of dark tobacco purchased from and sold to such dealer.

Field assistants should keep an ample supply of this report form on hand, and should furnish all dealers with a sufficient number to meet their needs. Every dark tobacco dealer (which includes every person or firm buying dark tobacco, either from producers or from other dealers) should file a report for each month, even if the only entries will be "none".



William Collins,
Chief, Tobacco Section,
Agricultural Adjustment Administration.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D.C.

MAR 15 1939

November 29, 1938

MEMORANDUM TO FIELD OFFICERS AND FIELD ASSISTANTS

With respect to the Administration of the Tobacco Marketing Quota Provisions of the Agricultural Adjustment Act of 1938.
(Burley Tobacco)

Prior to the opening of the Burley tobacco auction markets the Field Officer in charge of a market belt will meet with the field assistants for that belt for the purpose of outlining the work and giving instructions with respect to the checking of tobacco sales with marketing quotas and work related thereto. At that time each field assistant will be assigned to a particular market and will have delivered to him the necessary forms and supplies.

On each market where two or more field assistants are assigned, one will be designated as in charge of that market. The person so designated will be expected to do the same type of work as the other men except that he may have some additional duties in which he will be instructed by the Field Officer.

Field assistants will perform important functions having to do with the determination and collection of penalties on tobacco sales. Therefore, it is very necessary that their work be done honestly, accurately and rapidly enough that the settlements of warehousemen with growers will not be delayed. If any field assistant is inaccurate, careless, or fails to follow instructions, or if his conduct is such as to make him unsuitable for the job, we will have no alternative but to promptly replace him.

The "Regulations Pertaining to Burley Tobacco Marketing Quotas for the 1938-39 Marketing year" (Form 38-Tobacco 72) should be carefully studied by all Field Officers and field assistants and used as the guide for this work. This memorandum has been prepared to cover more details, but whenever in doubt about any point concerning the program, refer to the Regulations.

PART I -- FORMS

The following is a list of the forms to be used in connection with the 1938-39 Burley tobacco marketing quota:

Form 38-
Tobacco

<u>Number</u>	<u>Title</u>	<u>To be prepared by</u>
25	Certificate of exemption	Producer
27	Request for sale subject to penalty	Producer
39	Notice of farm marketing quota for Burley tobacco	County office
40	Operator's receipt for marketing card	County office
41	Marketing card (1938-39 Burley Tobacco)	County office
53	Memorandum of warehouse sale	Field assistant
54	Memorandum of nonwarehouse sale	Field Assistant
57	Receipt for memoranda of sales forms	Field assistant
58	Daily auction warehouse report	Field assistant
59	Dealer's daily report	Field assistant
60	Memorandum of resale	Field assistant
61	Daily report of producers' sales suspended	Field assistant
62	Auction warehouse report	Warehouseman
63	Dealer's report of purchases and resales	Dealer
64	Authorization for quota transfer	County office or field assistant
65	Record of quota transfer	County office
68	County office transfer book	County office
70	Receipt for transfer deposit	County office

PART II -- PROCEDURE

A. Serial number of forms to be accounted for

The memorandum of sale forms (38-Tobacco 53, 54, and 60) are numbered serially and each number must be accounted for, either (1) is issued, (2) as voided, or (3) as transferred. Therefore, when books of these forms are issued to field assistants they shall prepare and sign Form 38-Tobacco 57, "Receipt for Memoranda of Sales Forms". The three copies of this form shall be distributed as indicated by the note on the form. The field assistant shall be responsible for the memorandum of sale forms that are charged out against his name. If he does not use an entire book, the unused portion should be accounted for by the preparation of Form 38-Tobacco 57 at the time the unused portion is transferred to another field assistant.

B. Marketing card

When a producer calls at the warehouse office for his check, his marketing card and his sales bill will be presented to the field assistant, who will issue a memorandum of sale before the warehouseman settles with the producer. If the sales bill is not for tobacco produced on the farm, as identified by the marketing card, a memorandum of sale will not be issued.

If the total pounds sold are within the unused quota, as shown on the marketing card, the entry of the amount of pounds covered by the sales bill will be made on the marketing card in column 1 after the words "pounds sold". Entries will be made so that there will be one digit in each block, and vacant blocks to the left will be lined out. The amount of the pounds sold will then be deducted from the amount of "unused quota" and entered as the remaining "unused quota". The serial number of the memorandum of sale written for each sale within quota, and the date of sale will be entered on the marketing card in column 2 opposite the other entry to which applicable. The following is an illustration of the manner of making entries on the marketing card:

	Pounds (1)					Serial No. of Memo. of Sale and Date (2)	Code and Serial No. Signature (3)
Quota	---	1	0	0	0	123,720	(No entry except for transfer)
Pounds sold	---	5	0	0	0	11/23/33	(No entry except for transfer)
Unused quota	-----	5	0	0	0		

In a case where a producer has some unused quota, but not enough to cover a particular sale, and where the warehouseman does not make out two sales bills, one of quota and one for excess, the field assistant may issue one memorandum of sale to cover both quota and excess. In such case, the entry on the marketing card will be for an amount of pounds equal to the unused quota, which amount will be entered on the memorandum of sale as "Sale within quota". The remaining pounds, etc., will be entered on the same memorandum of sale as "Sale subject to penalty".

Extreme care must be exercised in making entries on the card both as to the figures entered and as to the deductions made. Do not erase any incorrect entry that may have been made, but line out and initial such error and make the correct entry in the next proper space below.

See Regulations with respect to invalid cards, lost cards, cards with insufficient space, etc. Any invalid card, as described in the Regulations, that comes to the attention of a field assistant shall be taken up by him and forwarded to the field officer.

C. Memorandum of warehouse sale

Field assistants will enter on this form, as the date of sale, the date on which the memorandum was written, the name of farm operator and code and serial number as shown on the marketing card, and warehouse and town where sale was made. There will likely be a few instances in which producers selling tobacco subject to penalty will refuse to present their marketing card. In such instances, field assistants will write on the memorandum of sale on the line provided for "code and farm serial number" the name of the county and State in which the tobacco was grown.

The pounds and dollars for "sales within quota" will be entered on the memorandum of sale in the block so designated, the pounds being the same as entered on the marketing card. Excess sales, that is "Sales subject to penalty" will be entered in the block so designated, in which will also be entered the amount of penalty, which shall be the greater of 3 cents per pound or 50 percent of the gross sale price of the tobacco sold subject to penalty. In cases of sales exempt from penalty which are not entered on the marketing card, the pounds and dollars will be entered as "Sales within quota", and in the next block will be written the word "Exempt."

A producer's sale of tobacco at one warehouse on one day is sometimes divided into two or more sales bills in order to identify tenants' interests in the sale. In such cases where two or more bills are presented with and identified by only one marketing card, they may be combined by adding the pound and dollar figures of each. If the total pounds of the several bills are within the unused quota, one memorandum of sale may be written therefor and one entry covering the

total pounds made on the marketing card. However, if the total pounds of several bills presented at the same time, exceed the unused quota, the operator and tenants concerned must agree and advise the field assistant as to the proper division of the unused quota among the bills.

Where a part of the sale is within quota and a part subject to penalty, the gross price of the sale within quota will be the higher valued tobacco, while the gross price of the sale subject to penalty will be the lower valued tobacco. For example, if a sales bill showed four lots, as follows:

100 pounds at 20 cents	\$20.00
100 pounds at 15 cents	15.00
100 pounds at 10 cents	10.00
100 pounds at 5 cents	5.00

and the unused quota, as shown on the marketing card, is 250 pounds, the gross price of the sales within quota would be \$40.00. The gross price of the 150 pounds of tobacco sold subject to penalty would be \$10.00. The 100 pounds of tobacco sold at 5 cents, the lowest price, and 50 pounds of the tobacco sold at 10 cents, the next lowest price, would be used as sales subject to penalty. The balance of the tobacco, which was the higher valued tobacco, would be used as sale within quota. The penalty would be \$5.00, which is 50 percent of the sale price, since \$5.00 is larger than 3 cents a pound (150 pounds times 3 cents, or \$4.50). Calculations with respect to such sales should be made on the back of such sales bills so that they can be checked later if necessary.

On each sales bill there should be written the serial number of the memorandum of sale issued therefor. This number may be written on the face of the bill at some place where it will not be confused with other figures thereon and should be circled or otherwise identified as what it is.

Since all of those records of sales and penalties must be kept separately by warehouses, field assistants shall arrange to use the same memorandum of sale book for one warehouse until that book is completed.

After each memorandum of sale is written, the original (53) will be detached from the book and passed on to the check writer at the warehouse with the producer's sales bill and marketing card. The copies 53a will be detached at the end of each day and mailed to the Comptroller, A.A.A., with daily reports as described hereinafter.

If any producer should deliver Burley tobacco to a cooperative, the management of the cooperative should be instructed to withhold settlement with the producer until additional instructions are furnished. Such a case should also be reported to the field officer.

E. Memorandum of resale.

The warehouseman shall present to a field assistant stationed at the warehouse all warehouse sales bills covering resales made during the day. These sales bills shall be clearly marked, or otherwise identified by the warehouseman, as resales, and shall show the name and registration number of the dealer who is selling the tobacco as resale tobacco. The field assistant shall prepare the "Memorandum of Resale", Form 38-Tobacco 60, by entering the following information thereon: (1) "Burley", as the kind of tobacco, (2) date of resale, (3) pounds and gross price, (4) name of the warehouse and the market where the resale took place, and (5) the seller's name and registration number. The form should be dated and signed by the field assistant, and the original copy should be delivered to the warehouseman. Copy 60a should be mailed to the Comptroller, A.A.A., Washington, D. C., with the other daily reports.

F. Daily report of producers' sales suspended

The warehouseman shall present to a field assistant stationed at the warehouse all warehouse bills covering producers' sales which have been suspended. These warehouse bills should be clearly marked, or otherwise identified by the warehouseman, as producers' sales suspended, on which not more than 25 percent of the gross price has been paid or advanced to the producer. The field assistant shall prepare the Daily Report of Producers' Sales Suspended (Form 38-Tobacco 61) by listing thereon the information required with respect to each warehouse bill. After completing this form, the field assistant who prepared the report will sign in the space provided for his signature, and will obtain the signature of the warehouseman. Copy 61a will be delivered to the warehouseman, and the original copy will be mailed to the Comptroller, A.A.A., Washington, D. C., with the other daily reports. Copy 61b will be retained by the field assistant.

Each warehouse bill for a suspended sale shall be marked with an "S" through the total pounds and total gross sale price, together with the field assistant's initials immediately thereafter.

When the warehouseman presents the warehouse bill for a memorandum of sale at some later date, the field assistant should: (1) satisfy himself that the total pounds or the total gross sale price have not been changed, and (2) prepare a memorandum of sale on which is entered, immediately above the heading "Memorandum of Warehouse Sale", a large "S" and the date of suspension.

G. Memorandum of nonwarehouse sales

Producers' sales other than on warehouse floors will be handled in a manner similar to that for auction sales, except that the "Memorandum of Nonwarehouse Sale", (Form 38-Tobacco 54) will be issued. This form is similar to "Memorandum of Warehouse Sale" (38-Tobacco 53), except that it provides for a certification to be executed by the buyer and producer in cases where such sale is subject to penalty. This certificate is not required if the sale is within quota. However, the dealer's registration number must be entered in all cases.

The marketing card and sales bill must be presented to the field assistant in cases of sales other than at warehouses, and entries on the marketing card as to pounds sold and as to serial number of the memorandum of sale (54) issued for recording such sales will be the same as in cases of warehouse sales.

The original of the memorandum of nonwarehouse sale (54) will be delivered to the buyer, and the yellow copy (54a) will be mailed to the Comptroller, A.A.A., Washington, D. C., with the other daily reports. The third copy (54b) will remain in the book, which will be forwarded to the Comptroller, A.A.A., Washington, D. C., when completed.

In case of a nonwarehouse sale that is subject to penalty, the field assistant should refuse to write a memorandum of sale therefor if he has reasonable grounds to believe that the producer and buyer are falsely certifying to the sale price in order to reduce the amount of penalty.

H. Request for sale subject to penalty

Provision is made whereby a producer may pay the penalty on a sale of tobacco although such sale is not in excess of his unused quota on the date of sale. If the producer elects to pay the penalty, no entry covering such sale shall be made on the marketing card. The memorandum of sale in such case shall be issued as covering a sale subject to penalty, and the penalty computed in the usual manner. If the producer makes a request for sale subject to penalty covering only a part of a sale for which a single sales bill was prepared by the warehouseman, only that part of the sale on which the penalty is not to be paid shall be entered on the marketing card. A double entry, as heretofore described, will then be made on the memorandum of sale, entering that part which is "sale within quota" and that part which is "sale subject to penalty" in the proper spaces. If a "Request for Sale Subject to Penalty" (Form 38-Tobacco 27) is prepared, the original copy will be attached by the field assistant to the yellow copy (53a or 54a) of the memorandum of sale, to be forwarded with it to the Comptroller, A.A.A., Washington, D. C.

I. Sales exempt from penalty

See the Regulations with respect to sales exempt from penalty. The Certificate, Form 38-Tobacco 25, to be used in such cases must be signed by the producer and also by a representative of the experiment station or the tobacco by-product manufacturer, as the case may be. Field assistants will be supplied with this form for delivery to the interested parties in cases where exemption is claimed.

When executed by the proper parties, the form will be delivered to a field assistant at the warehouse where the tobacco is sold (or in case of nonwarehouse sale, to a field assistant at the nearest market), and he will enter on it the serial number on the memorandum of sale for said sale and also the code and serial number of the farm. This certificate will be attached by the field assistant to the yellow copy of the memorandum of sale (53a or 54a) issued for such sale, to be forwarded with it to the Comptroller, A.A.A., Washington, D.C.

J. Daily auction warehouse report

At the end of each sale day, the field assistant shall prepare the "Daily Auction Warehouse Report" (Form 38-Tobacco 58) for each warehouse at which he worked during that day. One daily report (58) shall be prepared for each warehouse, and if two or more field assistants worked at a warehouse during a day, they shall enter their part of the report for that warehouse separately. For example, if two men work at one warehouse during one sale day, the daily report for that warehouse should have two lines of entries on it showing the first and last serial numbers of the memoranda of sale issued by each field assistant, and the total pounds and dollars, as provided for on the form. The pounds and dollars entered on this form by each field assistant will be the total of such figures for all of the memoranda of sale issued at said warehouse by him on said day. If a field assistant issues memoranda of sale at more than one warehouse during a sale day, he should enter the data specified above on the report for each of those warehouses for that day. Dealers' resales will be reported in a like manner in the space provided on this form for resales. The signature of each field assistant will be entered on the appropriate line on the yellow and green copies (58a and 58b) of the daily auction warehouse report, prior to delivery to the field assistant in charge of the market.

The original copy (58) and the white carbon copy (58c) of the daily auction warehouse report shall be given to the warehouseman, and the other two copies shall be signed by the field assistant in charge of the market on the line provided for his signature. The field assistant in charge of the market may hold these two copies for a few days (but not longer than the end of the week during which prepared) to give the warehouseman a chance to check the report with his records. The yellow

copy (58a) will then be mailed to the Comptroller, A.A.A., Washington, D. C., with copies of the memoranda of warehouse sale (53a) and memorandum of resale (60a) that each report summarizes. The green copy (58b) will be retained by the field assistant in charge of the market.

In case errors are made in any daily report and discovered before the report is mailed, the correction should be made on each copy and called to the attention of the warehouseman. If error is discovered after the report is mailed, a letter correcting the error should immediately be addressed and sent to the Comptroller, A.A.A., Washington, D. C.

K. Dealer's daily report

Each field assistant who writes memoranda of nonwarehouse sale to cover sales made by producers to dealers other than at an auction warehouse, shall prepare a Dealer's Daily Report (Form 38-Tobacco 59), on which he will record the required data with respect to memoranda of sale issued by him for producers' sales to said dealer. Field assistants need not attempt to combine their daily reports with respect to nonwarehouse sales made to a dealer, but each field assistant who issues memoranda of nonwarehouse sale (54) should make a separate report with respect to each dealer for each day on which he issues such memoranda.

The original copy (59) and the green carbon copy (59c) of the dealer's daily report shall be given to the dealer, and the other two copies shall be signed by the field assistant on the appropriate line. The field assistant shall deliver these two copies to the field assistant in charge of the market, who may hold them for a few days (but not longer than the end of the week during which prepared) to give the dealer a chance to check the report with his records. The pink copy (59a) will then be mailed to the Comptroller, A.A.A., Washington, D. C., with copies of memoranda of nonwarehouse sale (54a) that the report summarizes. The blue copy (59b) will be retained by the field assistant in charge of the market.

In case errors are made in any daily report and discovered before the report is mailed, the correction should be made on each copy and called to the attention of the warehouseman. If error is discovered after the report is mailed, a letter correcting the error should immediately be addressed and sent to the Comptroller, A.A.A., Washington, D. C.

L. Transfer of quota

The amount of quota which may be transferred from a farm shall not exceed the difference between the quota and the sum of: (1) the tobacco available for marketing at the time of transfer, (2) the tobacco marketed solely for nicotine or other by-product uses, and (3) the tobacco marketed exempt from penalty because of being grown for experimental purposes only by a publicly owned agricultural experiment station.

The amount of quota which may be transferred to a farm shall not exceed the larger of: (1) 10 percent of the quota for the farm, or (2) 500 pounds.

The total amount of quota transferable to a card will be either:

(a) The amount entered as transferable to the card in the space immediately below the heading "Marketing Card (1938-39 Burley Tobacco)", or

(b) If no amount is entered in this space, the amount of quota transferable to the card will be the larger of: (1) 10 percent of the quota for the farm, as shown on the card, or (2) 500 pounds.

To determine the amount of quota transferable to the card at any time, subtract the total of all previous transfers to the card from the maximum amount transferable to the card at time of issuance.

Direct transfers between two farms may be made by a field assistant or by a representative authorized to make transfers at the county office.

Transfers to a County Office Transfer Book, (Form 38-Tobacco 68) shall be made only in the county in which the farm from which quota is to be transferred is located.

Transfers may be made from the county office transfer book in one county to the county office transfer book in another county either in the same State or in different States.

Form 38-Tobacco 64, "Authorization for Quota Transfer", is made up in sets with the carbon inserted. The authorization shall be completely filled in before the operator of the farm from which quota is to be transferred signs it. The representative of the Agricultural Adjustment Administration authorized to make transfers shall either know the operator signing the authorization or shall know the witness to the operator's signature, and shall be satisfied that the operator of the farm from which the quota is to be transferred actually did sign the authorization before he makes the entries on the cards and signs the authorization.

The entries on the marketing card for the farm from which quota is transferred shall be made as follows:

Column (1)

(a) Enter the number of pounds transferred on the line marked "Pounds Sold".

(b) On the line immediately below, marked "Unsold Quota", enter the difference between the previous unused quota and the pounds transferred. Line out vacant blocks to the left of the entry.

Column (2)

- (a) Enter the date on the line opposite the balance of unused quota prior to such transfer.
- (b) Enter the words "Subtract Transfer" or "Sub. Trans." opposite the number of pounds transferred

Column (3)

- (a) The A.A.A. representative who made the transfer shall sign his name opposite the date.
- (b) Enter the code and serial number for the farm to which the quota is transferred, or the name of the county and State, if the quota is entered in the transfer book, opposite "Subtract Transfer" or "Sub. Trans."

The following is an illustration of the entries to be made on the marketing card to record transfers from the farm:

	Pounds (1)				Serial No. of Memo. of Sale and Date (2)	Code and Serial No. Signature (3)
Quota	1	0	0	0	000,000	
Pounds sold	5	0	0		11/28/38	
Unused quota	5	0	0		11/29/38	John Doe
Pounds sold	5	0	0		Sub. Trans.	000-000
Unused quota			0			

The entries on the marketing card for the farm to which quota is transferred shall be made as follows:

Column (1)

- (a) Enter the number of pounds transferred on line marked "Pounds Sold".
- (b) On the line immediately below, marked "Unused Quota", enter the sum of the two previous items, i.e., unused quota and pounds transferred. Line out vacant blocks to the left of the entry.

Column (2)

- (a) Enter the date on the line opposite the balance of unused quota prior to such transfer.
- (b) Enter the words "Add Transfer" or "Add trans." opposite number of pounds transferred.

Column (3)

- (a) The A.A.A. representative who made the transfer shall sign his name opposite the date.
- (b) Enter the code and serial number for the farm from which the quota is transferred, or the name of the county and State, if the quota is transferred from a transfer book, opposite "Add Transfer" or "Add Trans."

The following is an illustration of the entries to be made on the marketing card to record transfers to the farm:

Pounds (1)					Serial No. of Memo. of Sale and Date (2)	Code and Serial No. Signature (3)
Quota	---	1	0	0	000,000	
Pounds sold	-----	5	0	0	11/28/38	
Unused quota	-----	5	0	0	11/29/38	John Doe
Pounds sold	-----	5	0	0	Add Trans.	000-000
Unused quota	---	0	0	0		

M. Auction warehouse report

Every warehouseman shall prepare a monthly report on Form 38-Tobacco 62, "Auction Warehouse Report". This report shall be sworn to by the warehouseman, and filed with the Comptroller, A.A.A., Washington, D. C., on or before the tenth day of the month immediately following the month for which the report is made.

The warehouseman shall report the total of the producers' sales made during the month on which memoranda of sale have been issued. The producers' sales within quota will be separated from those subject to penalty. He shall also report the total of the producers' sales held in suspension at the end of the month; i.e., the total of the sales previously suspended which have not been cleared on or before the last day of the month for which the report

is made. All sales made on the warehouse floor by dealers, including the warehouse leaf account, shall be reported as dealers' resales. All purchases made on the warehouse floor by dealers, including the warehouse leaf account, shall be reported as dealers' purchases.

The field assistant in charge of each market will furnish each warehouseman with a supply of these forms when the markets open, and explain the use of them. Field assistants, insofar as possible, will determine whether or not such reports are being made, and will immediately advise the field officer of cases they learn about where such reports are not being made by warehousemen.

N. Dealer's report of purchases and sales

Every dealer purchasing Burley tobacco shall prepare a monthly report on Form 38-Tobacco 63, "Dealer's Report of Purchases and Sales". This report shall be sworn to by the dealer, and filed with the Comptroller, A.A.A., Washington, D. C., on or before the tenth day of the month immediately following the month for which the report is made.

The dealer shall report, by warehouses, the total purchases and sales made at auction warehouses. He shall report the purchases made from producers other than at an auction warehouse, showing the total number of memoranda of nonwarehouse sale covering his purchases, the purchases within quota, the purchases subject to penalty, and the amount of the penalty. He shall also report the purchases made from dealers, and sales made to dealers, other than at an auction warehouse, showing the name, address, and registration number of each dealer and the pounds and gross price of tobacco purchased from and sold to such dealer.

Field assistants should keep an ample supply of this report form on hand, and should furnish all dealers with a sufficient number to meet their needs. Every Burley tobacco dealer (which includes every person or firm buying Burley tobacco, either from producers or from other dealers) should file a report for each month, even if the only entries will be "none".



William Collins,
Chief, Tobacco Section,
Agricultural Adjustment Administration.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Tobacco Section

December 2, 1938

MEMORANDUM TO WAREHOUSEMEN AND DEALERS
RE: PURCHASES AND SALES OF BURLEY TOBACCO
AND FIRE-CURED AND DARK AIR-CURED TOBACCO



Attached are copies of the regulations pertaining to Burley tobacco or fire-cured and dark air-cured tobacco marketing quotas for the 1938-39 marketing year.

The Agricultural Adjustment Act of 1938 provides that the marketing of any tobacco in excess of the farm marketing quota for the farm on which the tobacco was produced, except the marketing of any such tobacco for nicotine or other by-product uses, shall be subject to a penalty. The Act further provides that such penalty shall be paid by the person acquiring such tobacco from the producer, but that an amount equivalent to the penalty may be deducted by the buyer from the price paid the producer, in case such tobacco is marketed by sale; or if the tobacco is marketed by the producer through a warehouseman or other agent, such penalty shall be paid by such warehouseman or other agent, who may deduct an amount equivalent to the penalty from the price paid the producer.

Marketing cards are issued for each farm as evidence of the marketing quota for the farm. The name of the producer on the sales bill shall be the same as the name on the marketing card for the farm on which the tobacco was produced. If a marketing card for a farm other than the farm on which the tobacco was produced is used in order to avoid payment of penalty, such marketing card shall be invalid and the sale shall be subject to penalty.

Warehousemen

The warehouse sales bills for all sales (producers' sales and dealers' sales) should pass through the hands of a field assistant on the day of such sale. The field assistant shall prepare a memorandum of warehouse sale for all producers' sales, except those that are marked suspended, and a memorandum of resale for all dealers' warehouse sales (including warehouse leaf account).

When the warehouse sales bill for a producer's sale is marked suspended, the name of the producer and the pounds and gross price of the tobacco shall be listed on Form 38-Tobacco 61. After the field assistant has prepared the listing, the warehouseman shall sign the certification on the form, which states that the sale has been suspended at the request of the producer, and that if any amount has been paid or advanced by the warehouseman to the producer on account of such sale, such amount does not exceed 25 percent of the sale price.

The warehouseman shall receive the original of the memorandum of warehouse sale and the memorandum of resale and a copy of Form 38-Tobacco 61, "Daily Report of Producers' Sales Suspended". He shall also receive the original and a carbon copy of Form 38-Tobacco 58, "Daily Auction Warehouse Report". This report, while it may be prepared by the field assistant, is the warehouseman's report, and is to be verified by him before he signs the certification. The producers' sales and dealers' resales, as reported on Form 38-Tobacco 58, together with the suspended sales, as listed on Form 38-Tobacco 61, are a complete report of the day's sales at the warehouse.

Form 38-Tobacco 58, "Daily Auction Warehouse Report", together with the warehouseman's remittance of penalty for sales covered by the report, payable to the Treasurer of the United States, shall be forwarded to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., not later than the end of the calendar week next following the week in which occurred the day for which the report was made.

Form 38-Tobacco 62, "Auction Warehouse Report" shall be prepared each month by the warehouseman. Producers' sales are to be reported in three groups: (1) within quota, (2) subject to penalty, and (3) held in suspension at the end of the month. The first two items are exactly as reported on the "Daily Auction Warehouse Report" (Form 38-Tobacco 58), and can be obtained either by totaling the figures on Forms 38-Tobacco 58 for the days during the month on which there were sales, or by totaling the memoranda of warehouse sales. The third item, "Producers' sales held in suspension at the end of the month", will be the total of the sales which had been previously suspended and which had not been cleared prior to the end of the month.

Dealers' resales shall be reported by showing the total pounds and gross price of the tobacco sold in the warehouse by each dealer. One line shall be used for each dealer, and the entries shall show his Internal Revenue registration number, his name, total pounds sold during the month, and the total gross price. Dealers' purchases shall be shown in a similar manner. One line shall be used for each dealer

purchasing tobacco at the warehouse during the month, and the entries shall show his Internal Revenue registration number, his name, and the total pounds and total gross price of the tobacco purchased by him during the month. Purchases and sales by a warehouseman for his leaf account shall be included in this report, and listed as leaf account. If there is insufficient space for dealers' resales or dealers' purchases, use such additional copies of the form as may be required.

This report (Form 38-Tobacco 62) is to be made monthly and is to be filed with the Comptroller, Agricultural Adjustment Administration, Washington, D. C., not later than 10 days after the end of the calendar month for which the report is made. This report shall be signed and sworn to by the warehouseman in the manner provided for on the form.

Dealers

Every nonwarehouse sale of tobacco made by a producer to a dealer shall be reported, by the dealer purchasing such tobacco, to a field assistant of the Tobacco Section of the Agricultural Adjustment Administration on the day such sale was made, and a memorandum of nonwarehouseman sale obtained prior to making settlement with the producer. Field assistants who issue memoranda of nonwarehouse sale to cover purchases made by dealers from producers shall prepare Form 38-Tobacco 59, "Dealer's Daily Report", covering such nonwarehouse sales. If a dealer purchases at more than one point and receives more than one Form 38-Tobacco 59 for the same day, such dealer shall summarize all such reports by showing the totals for each such report on separate lines of a summary copy of the form. This summary report, when properly signed by the dealer, together with the original copy of each individual Form 38-Tobacco 59 summarized by such report, will constitute the dealer's daily report for said day. This report, together with the dealer's remittance of penalty, payable to the Treasurer of the United States, shall be forwarded to the Comptroller, Agricultural Adjustment Administration, Washington, D. C., on or before the end of the calendar week next following the week in which occurred the day for which the report was made.

Form 38-Tobacco 63, "Dealer's Report of Purchases and Sales", shall be filed with the Comptroller, Agricultural Adjustment Administration, Washington, D. C., not later than the 10th of each month, and shall cover purchases and sales made by the dealer during the previous month. This report is required of all dealers, including manufacturers, who purchase or otherwise acquire tobacco. The total purchases made during the month at an auction warehouse shall be

reported on a single line by entering the name of the warehouse, the market, and the total pounds and total gross price of such purchases. The sales made by the dealer at the auction warehouse shall be entered on the same line and shall be a total of all sales made by the dealer at that auction warehouse during the month.

Purchases made from producers other than at an auction warehouse shall be reported in two items: (1) purchases within quota, showing total pounds and total gross price, and (2) purchases subject to penalty, showing total pounds, total gross price, and total penalty on such purchases. This information may be obtained either from the dealer's daily reports which have been made during the month, or from the memoranda of nonwarehouse sale which were issued by the field assistant and delivered to the dealer. The total number of memoranda of sale issued to the dealer during the month shall be reported in the space provided therefor.

Purchases of tobacco made from other dealers shall be reported in the space provided therefor by entering the Internal Revenue registration number, the name and address of the dealer, and the total pounds and gross price of the tobacco purchased from such dealer during the month. Sales made to dealers other than at an auction warehouse shall be reported in the same manner.

If the space on the form is insufficient for either the purchases and sales at an auction warehouse or the purchases made from dealers and sales made to dealers other than at an auction warehouse, additional copies of the form may be used as required.

This report shall be sworn to and signed by the dealer in the manner indicated on the form.

Warehousemen and Dealers

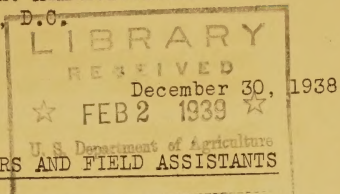
The warehouseman's monthly reports and the dealer's monthly reports are interlocking, and any discrepancies will require an explanation. The field officers and field assistants will give you information and assistance in keeping records and making reports. Any error in a report should be reported in writing as soon as discovered.



William Collins,
Chief, Tobacco Section

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UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Adjustment Administration
Washington, D.C.



MEMORANDUM FOR FIELD OFFICERS AND FIELD ASSISTANTS

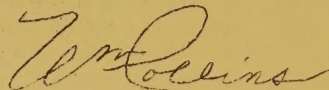
Re: Writing "Corrected" Memoranda of Sale and Use
of Form T. S.-8 (Burley and Dark Tobacco)

State and county committees have been rechecking individual farm quotas, and, as a result, have in some instances, issued additional quota for farms. In some of these cases tobacco may have been sold subject to penalty, prior to issuance by county committees of such additional quota, and memoranda of sale written therefor and copies forwarded to the Comptroller with Daily Reports. Under these circumstances, if a producer requests the issuance of a corrected memorandum of sale, Field Assistants shall follow the procedure outlined herein.

1. A corrected memorandum of sale may be issued upon presentation of a valid marketing card showing the additional quota for the farm. The memorandum of sale previously issued shall be voided and the corrected memorandum issued in accordance with the pounds of unused quota shown on the new marketing card; provided that the penalty as shown on the original memorandum has not been remitted to the Secretary by the warehouseman or dealer. In order that this may not have the effect of delaying penalty remittances to the Secretary by warehousemen or dealers, a corrected memorandum covering this type case will not be issued later than January 14 to replace a memorandum dated prior to January 1, 1939; and, a corrected memorandum will not be issued to replace a memorandum dated after January 1, unless the producer requests same and presents his new marketing card with unused quota by the end of the week next following the week in which the original memorandum was written. In cases where this time limit has elapsed before a correction of this nature is requested, the producer should be advised that he may file claim for a refund. These claims will be handled through the county offices and the procedure and forms will be available there in the near future.
2. For each corrected memorandum of sale issued as heretofore outlined, notice shall be immediately sent to the Comptroller, Agricultural Adjustment Administration, on Form T. S.-8. Such notice shall be signed by the Field Assistant who issued the corrected memorandum and approved by the Field Assistant in charge of the market. The white copy of the original memorandum

shall be voided and, if surrendered by warehouseman or dealer shall be attached to the T. S.-8 and forwarded to the Comptroller, together with the second copy of the "corrected" memorandum.

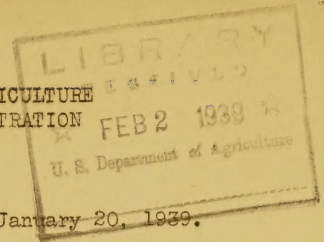
3. Each "corrected" memorandum should bear the notation "corrected memo. to replace No. _____", and should show the same "date of sale" as the original memorandum.
4. Care should be taken in preparing Form T. S.-8 to insure that all entries have been made thereon. The Field Assistant in charge of the market should keep a duplicate copy of each Form T. S.-8.
5. Corrected memoranda of this type shall not be included in or attached to Daily Auction Warehouse Reports or Dealers' Daily Reports, but should be attached to the corresponding T. S.-8. The Comptroller's office will make the necessary changes in applicable reports and records.



William Collins,
Chief, Tobacco Section A. A. A.

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.



January 20, 1939.

MEMORANDUM FOR FIELD OFFICERS, FIELD ASSISTANTS AND WAREHOUSEMEN
Burley and Dark Tobacco

Re: Clearing of Suspended Sales

Memoranda of sale will be issued with respect to all suspended sales not later than two weeks after the official closing date of the market on which the tobacco was sold. In other words, memoranda of sale will be written covering all sales held in suspension at the end of the two-week period. Producers with sales of tobacco held in suspension and producers who request that future sales be held in suspension should be so advised.

As soon as any warehouse completes the last sale of the season, field assistants at the market shall prepare a listing on Form 38-Tobacco 61 of all sales remaining in suspension. Thereafter, when a memorandum of sale is issued, the date and serial number of the memorandum shall be entered in the spaces provided on Form 38-Tobacco 61 opposite the sale which has been cleared. On the last day of the two-week period memoranda of sale shall be written with respect to each suspended sale remaining on the listing.

William Collins,
Chief, Tobacco Section,
Agricultural Adjustment Administration.

